

REGD NO. JK—33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 2nd June, 2016/12th Jyai., 1938. [No. 9

	CONTENTS	English Pages	Vernacular pages
	PART I-A— Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	86-96	
	PART I-B— Notifications, Communiques and General Orders by the Government and the Ministers	135-146	
	PART II-A— Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments....	17-18	
	PART II- B— Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule	109-124	
	PART II-C— Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal		
	PART III- Laws, Regulations and Rules passed thereunder		
	PART IV— Reprints from the Government of India Gazette or Gazettes of others Governments....		
	PART V— Information and Statistics (a) Rates and prices in the State.... (b) Rates and wages (c) Crop Report and Forecasts (d) Whether Observations (e) Vital Statistics		
	SUPPLEMENT-A—Trade Monthly Imports and Exports from the State		
	SUPPLEMENT-B—Police		
	SUPPLEMENT-C—Advertisements	43-46	33-36

Printed at the Government Press, Srinagar.

PART I-A

Jammu & Kashmir Government–Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.

Notification

No. 771 Dated 10-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Massarat Jabeen D/o Mr. Mohd Ashraf Shah R/o Rozabal, Charar-i-Sharieff, Budgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-32/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 796 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Mohmad Sharief S/o Mr. Meer Mohmad R/o Bernate, Boniyar, Baramulla, A/P H. No. 27, Custodian Colony, Sanat Nagar, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/

LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-33/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 797 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Masood Ahmad Magray S/o Mr. Ab. Majeed Magray R/o Adoora, Shahoora, Kadlabal, Adoora, Pulwama has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-31/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 798 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Muddsar Akbar S/o Mr. Mohd Akbar R/o Seri Chowana, Haveli, Poonch, A/P Radio Station Poonch, W. No. 6, H. No. 186 has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar

88 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-30/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 799 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Mahajabeen Akhter D/o Mr. Ghulam Mohamad R/o Bagga, P/O Sarh, Tehsil Mahore, Reasi, A/P Sidhra Bye-pass, Nikki Mohalla, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-29/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 800 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Mir Mubashir Maqbool S/o Mr. Mohd Maqbool Mir R/o Gundipora, 1st Street, Hergam, Pulwama has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally

No. 9] The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. 89

for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-28/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 801 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Manzoor Ahmed S/o Mr. Abdul Salam R/o Padum, Near Old Mosque, Zanskar, Kargil , A/P Tibetan Colony, H. No. 6, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-27/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 802 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Mohd Aqib Wani S/o Mr. Bashir Ahmad Wani R/o Mazhama, Shopian, Wani Mohalla, Keegam, Shopian has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally

90 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-26/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 803 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Kajal Charak D/o Mr. Sansar Singh R/o H. No. 166, Govind Nagar Colony, Deoli, Bishnah, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-25/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 805 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Nahid Hussain Naik S/o Mr. Mohd. Hussain Naik R/o Asnoor, DH Pora, Kulgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one

year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-42/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 806 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Nadeem Yaqoob Bhat S/o Mr. Mohammad Yaqoob Bhat R/o Firdous Abad, Batamallo, Tehsil Khas, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-41/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 807 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Nikhil Choudhary S/o Mr. Tilak Raj Choudhary R/o H. No. 343, W. No. 7, Jawahar Nagar, Narwal Pain, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council

provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-40/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 808 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Neelam Singh S/o Mr. Sudesh Singh R/o Pogal Paristan, Ramban, A/P Rehari Colony, Quarter No. 175&176, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-39/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 809 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Nancy Kundal D/o Mr. Somnath Kundal R/o Amir Nagar, Dabbar (Harsa), Bishnah, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period

of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-38/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 810 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Nasia Ahad Karnai D/o Mr. Abdul Ahad Karnai R/o Opp. Hotel City Daltop, Boulevard Road, Nehru Park, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-37/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 811 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Ms. Nidhi Kaila D/o Mr. Haresh Kaila R/o H. No. 179, Purani Mandi, Jammu, A/PH. No. 22-D, Lane-1, Tawi Vihar Colony, Sidhra, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and

94 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/ LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-36/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 812 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Nikhileshwar Singh S/o Mr. Ishwar Lal Thakur R/o H. No. 53, Ward No. 5, Barrian, Udhampur has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-35/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 813 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Nazeer Ahmad Wagay S/o Mr. Ab. Gani Wagay R/o Lolipora, Humpora Mohalla, Chadoora, Budgam has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally

for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-34/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 814 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Parshotam Lal Sharma S/o Mr. Ram Rattan Sharma R/o Village Chak Jaralan, P/O Kanhal, Bishnah, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-51/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

Notification

No. 815 Dated 12-02-2016.

It is hereby notified that vide High Court Order dated 10-02-2016 Mr. Pardeep Kumar S/o Mr. Madan Lal R/o Bani, Near Mela Ground, Tehsil Bani, District Kathua has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period

96 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-50/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

(Sd.) G. M. PARRAY,

Joint Registrar (Admn.).



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Thu., the 2nd June, 2016/12th Jyai., 1938. [No. 9

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—INFORMATION DEPARTMENT, J&K.

Subject :—Advertisement Policy, 2016.

Reference :—State Administrative Council Decision No.11/3/2016
dated 03-03-2016.

Government Order No. 09-ID of 2016

Dated 04-03-2016.

In supersession of the Advertisement Policy issued vide Government
Order No. 53-ID of 1996 dated 26-07-1996, read with Government

136 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

Order No. 06-ID of 2001 dated 17-04-2001, sanction is hereby accorded to the implementation of the revised Advertisement Policy of the Information Department as per Annexure-A to this order.

By order of the Government of Jammu and Kashmir.

(Sd.) B. B. VYAS, IAS,

Financial Commissioner,
Information Department.

Annexure-A to Government Order No. 09-ID of 2016 dated 04-03-2016.

Advertisement Policy, 2016

Introduction :

- (1) The Department of Information and Public Relations (DIPR) is the Nodal Department for distribution of advertisement of the Government of Jammu and Kashmir and offers single window and cost effective publicity to all the State Government Departments, Public Sector Enterprises, Autonomous and Local Bodies. It places advertisement in the newspapers and other media within and outside the State as per the policy of the Government.
- (1.1) Government advertising is undertaken for a wide and diverse range of purposes, mainly in the form of recruitment advertisements, public notices, notices inviting tenders, statutory notifications, urgent public health or safety announcements, public awareness advertisement and others. The purpose is to disseminate to the public at large, information about Government programmes, policies or initiatives and any public health or safety issue.
- (1.2) In releasing advertisements to the media, DIPR must not take into account the political affiliation or editorial policies of the media. However, DIPR shall not release advertisements to such media, which incite or tend to incite communal passion, preach violence, offend the sovereignty and integrity of India or socially accepted norms of public decency and behavior and violate the journalistic code of ethics.
- (1.3) The Government advertisement is not intended to provide financial support to any media but to help its growth and development and in expanding its operation in a healthy, professional and competitive environment. DIPR shall maintain a list of media under various categories approved by the Empanelment Committee and issue advertisements in a judicious manner as per the Government Policy, upholding the broad social objectives of promoting responsible, constructive and healthy journalism in Jammu and Kashmir.

(1.4) Every State Government advertisement shall be routed through DIPR. Instructions to this effect have been issued by the General Administration Department (GAD) whereby all Government Departments/PSUs/Autonomous/Local Bodies have been directed not to under any circumstances, issue official advertisements directly to the media and instead route these through DIPR which shall also monitor the implementation of the circular instructions and report violations in this regard, if any, to the Government.

Empanelment Committee :

(2) The Empanelment Committee headed by the Administrative Secretary to the Government, Department of Information and Public Relations, constituted vide Government Order No.17-ID of 2015 dated 26-6-2015, shall deal with eligibility and empanelment of media for receiving Government advertisements. The Empanelment Committee shall meet at least once a year to review and update the list of media for empanelment.

Eligibility for Empanelment of Newspapers/Magazines :

(3) The Empanelment Committee shall consider empanelment of newspapers/magazines printed and published in the State of Jammu and Kashmir mainly on the basis of their circulation, production standard, content and number of pages.

Categorization of newspapers	Circulation per publishing day for English newspapers	Circulation per publishing day for newspapers published in Urdu, Hindi, Dogri, Kashmiri, Ladakhi or any other recognized language of J&K
1	2	3
‘A’ Category	Newspapers with circulation of 25000	Newspapers with circulation of 20000

1	2	3
	copies and above with at least four pages in colour.	copies and above with at least four pages in colour.
‘B’ Category	Newspapers with circulation of 15000 and above, but less than 25000 copies with at least two pages in colour.	Newspapers with circulation of 12000 and above, but less than 20000 copies with at least two pages in colour.
‘C’ Category	Newspapers with circulation of 5000 and above, but less than 15000 copies.	Newspapers with circulation of 4000 and above, but less than 12000 copies.
‘D’ Category	Newspapers with circulation of 1000 and above copies, but less than 5000 copies.	Newspapers with circulation of 800 and above copies, but less than 4000 copies.

- (3.1) A newspaper in English should have a minimum paid circulation of not less than 1000 copies per publishing day for being considered eligible for empanelment. However, newspapers in Urdu, Hindi, Dogri, Kashmiri, Ladakhi or any other recognized language of Jammu and Kashmir should have a minimum paid circulation of 500 copies per publishing day for being considered eligible for empanelment. A bi-weekly/weekly should have a minimum paid circulation of 2000 copies per week, fortnightly 2500 paid copies per two weeks and a monthly should have a minimum paid circulation of 3000 copies per month for being considered eligible for empanelment.
- (3.2) Newspapers and periodicals with all India circulation, printed and published outside J&K and listed in the approved list of Directorate of Advertising and Visual Publicity (DAVP), Government of India, can also be considered for release of advertisements as and when required by the Government.

However, advertisement, to such newspapers/periodicals would be released only on the specific instructions of the department seeking publication of the advertisement in the newspapers/periodicals from outside the State. Such advertisements would be issued on DAVP rates.

(3.3) The circulation claim of a publication will be accepted, only if it is certified by Registrar of Newspapers for India (RNI) and Audit Bureau of Circulation (ABC). The Circulation Certificate will be considered valid up to three years from the date of issue for the purpose. In case the newspaper is not assessed by RNI/ABC, the Empanelment Committee will take into consideration the claim of circulation certified by a recognized Chartered Accountant and the certificate of the Printing Press along with the print order of the newspaper/periodical concerned. However, the Department of Information and Public Relations shall also reserve the right to have the figures of circulation, printing capacity, news print consumption and sale proceeds verified through any independent mechanism, in respect of any category of publications as would be considered appropriate.

(3.4) A newspaper/magazine should have the following minimum print area per page/number of pages :—

Category of newspapers/magazines	Minimum print area per page	Minimum number of pages
Dailies	400 Col Cms	8
Weeklies	200 Col Cms	16
Fortnightlies	200 Col Cms	24
Monthlies	100 Col Cms	32

Regularity and Standards of Publications :

(4) All newspapers/magazines seeking empanelment for the first time should comply with the following :—

(4.1) The newspaper/magazine must be published uninterruptedly and regularly for a period of not less than 36 months. The applicant to

be considered as a regular publication should have published the newspaper on at least 25 days in each month during the preceding 36 months. Weeklies should have published 138 issues during the preceding 36 months, fortnightlies 69 issues and monthlies 33 issues during the preceding 36 months. The Empanelment Committee may relax the regularity conditions, in the event of any exigency like natural disaster or any other condition beyond the control of the Publisher.

- (4.2) In case of change of periodicity of the publication which is already approved for advertisements earlier for another category, it shall have to wait for another one year before being considered for new category like Daily/Bi-weekly/Weekly.
- (4.3) The publication should comply with the provisions of the Press and Registration of Books Act, 1867 and the Registration of Newspapers (Central) Rules, 1956 and any other law, rules, regulation as may be applicable in the State of Jammu and Kashmir.
- (4.4) The applicant should furnish a copy of the Certificate of Registration issued by the Registrar of Newspapers for India (RNI) in the name of the Publisher.
- (4.5) The details of the paper like size, language, periodicity, owner's name, place of publication, print area, number of pages, details of printing press, list and number of paid employees, address of office premises/contact number/e-mail of applicant shall also be furnished along with other documents.
- (4.6) Further, it must be substantiated that the newspaper being published is of reasonable standards which *inter alia* means that—
 - (4.6.1) The print matter and photographs should be legible, neat and clear and without smudges, overwriting and tampering.
 - (4.6.2) There should be no repetition of news items or articles from other issues. There should be no reproduction of news items or articles from other newspaper/magazines and the source of news/articles should be mentioned.

- (4.6.3) Masthead on its front page should carry the title of the newspaper, place, date and day of publication, year of publication, RNI Registration Number, volume and issue number, number of pages and price of newspaper/magazine.
- (4.6.4) The newspaper should carry imprint line as required under the Press and Registration of Books Act.
- (4.6.5) Inner pages must carry page number, title of the paper and date of publication. For multi-editions, place of publication must be mentioned in inner pages also.
- (4.6.6) All the publications must necessarily carry an editorial of its own.
- (4.6.7) A newspaper/periodical should have an established office address in the area from which it is being published.

Empanelment Schedule :

- (5) Fresh applications for empanelment may be made once a year i. e. in the first week of January. The newspaper Publisher must ensure that his/her publication fulfills all the norms laid down in the Advertisement Policy before applying for empanelment. The application form must be complete in all respects with supporting documents. Incomplete applications will not be considered.
- (5.1) The empanelment already granted to publications earlier by the Directorate of Information, shall remain valid for a maximum period of one year from the date the new Advertisement Policy comes into effect. Within one year, the Publishers shall have to complete all the requisite formalities and meet the norms set out in the revised Advertisement Policy (2016) for fresh categorization and empanelment.
- (5.2) If a Printer Publisher has more than one title/s registered in his/ her name in the same language, with same periodicity and published from same place, only one such publication would be considered for empanelment.
- (5.3) The Empanelment Committee shall afresh examine the existing newspaper/periodical circulation level and recommend to the Government for placing them under the appropriate category (A, B, C & D) for release of advertisements.

De-empanelment/Suspension of Newspapers/Magazines :

- (6) It shall be the duty of Deputy Director (PR), Kashmir and Deputy Director (PR), Jammu to monitor the content and creative standard of the empanelled newspaper published in their respective divisions and if it is found that a newspaper is not adhering to the reasonable standards of publication, the same shall be reported to Member-Secretary, Empanelment Committee i. e. Joint Director Information (Hqr.) immediately.
- (6.1) The Empanelment Committee shall have the freedom and the competency to delist any listed newspaper/periodical in the interest of the State or professional ethics, from the approved list.
- (6.2) A newspaper/magazine will be suspended from empanelment by the Empanelment Committee, with immediate effect if—
- (6.3) Found to have deliberately submitted false information regarding circulation or otherwise.
- (6.4) Found to have discontinued its publication, changed its periodicity or its title or have become irregular or changed its premises/press without due intimation to the Member-Secretary of the Empanelment Committee.
- (6.5) It has failed to submit its Annual Return to the RNI or its Annual Circulation Certificate from the prescribed agencies.
- (6.6) Indulged in unethical practices or anti-national activities.
- (6.7) Convicted by Court of Law for such (6.4) activities.
- (6.8) In such cases the newspaper/magazine will remain suspended for a period decided by the Empanelment Committee; provided that order of suspension shall not be issued without giving a reasonable opportunity to the concerned newspaper/magazine in case of (6.1), (6.2) (6.3) & (6.4) above.

Release of Advertisements :

- (7) As soon as requisition for release of advertisement is received from various Government Departments/PSUs/Autonomous/Local Bodies, DIPR shall prepare a suitable media list, considering the content, purpose and the target audience of the advertisement.

- (7.1) DIPR shall carefully select the media to ensure that advertising is as effective as possible and reaches the intended target audience.
- (7.2) DIPR shall ensure adherence to the prescribed space norms for advertisement. The advertisement shall preferably be given in abstract form only with its full version hoisted on the website of the department from which advertisement requisition has been made.
- (7.3) No newspaper shall publish Government advertisement without receipt of the relevant Release Order from DIPR.
- (7.4) The newspaper will be obliged to strictly adhere to the date of publication of the advertisement as specified by DIPR in the Release Order. Publication of advertisement on dates other than that given in the Release Order, unless intimated otherwise, will not be regularized with revalidation of Release Order and no payment will be made in such cases.
- (7.5) DIPR shall release display advertisements related to social messages and various welfare schemes, which are not date specific, to magazines that promote the rich historical and cultural heritage, art and literature of Jammu and Kashmir.
- (7.6) For rate purposes, standard advertising unit shall continue to be of per column per centimeter.
- (7.7) Distribution of advertisements to different categories would be made on the basis of the parameters like circulation of the newspaper/periodical, number of pages, life of newspaper/ periodical, production standard, tone and content, size of pages and any other parameter as may be deemed appropriate by the Empanelment Committee. No Litho newspaper would be empanelled for advertisement.

(7.8) While releasing advertisement, DIPR shall as far as possible maintain a judicious balance between various categories of newspapers and shall endeavor to encourage vernacular language and small category newspapers in pursuance of the broad social objectives of the Government of Jammu and Kashmir and for ensuring fairness among various categories of newspapers/magazines.

Submission and Payment of Advertisement Bills :

(8) The advertisement tariff and the mode of payment would be as per the guidelines of the Finance Department issued from time to time.

(8.1) In case of corporations/autonomous bodies etc. advertisements will be issued on Government approved rates.

(8.2) Every newspaper Publisher shall be obliged to submit its advertisement bill to DIPR, complete in all respects, and supported with relevant documents including the actual space used, within 30 days of the publication of the advertisement.

(8.3) Every newspaper Publisher shall be obliged to send one copy of the newspaper on its own carrying the Government advertisements to DIPR, failing which payment for the advertisement may not be considered. In addition, DIPR may ask for regular supply of specimen copies of any empanelled publication for the period considered necessary.

(8.4) Payment of bills of advertisements pertaining to the State Government Departments will be made by DIPR. Payment of bills pertaining to advertisements from PSUs/Autonomous Bodies/judiciary and all such advertisements which fall under non-budget category shall be made by the concerned departments that send the advertisements to DIPR for release.

- (8.5) No payment shall be made of any bill, if the advertisement to which it relates, has been published after the expiry of the date by which it was required to be published, published incorrectly and without obtaining written order of the Competent Authority.
- (8.6) DIPR shall release payment of advertisement bills only to the Publishers Bank Account Number registered with the department.
- (8.7) No change in the Bank Account Number shall be entertained during the year of empanelment unless it is justified and found unavoidable or compelling.

Advertisements to Electronic Media/Internet Based News Portals :

- (9) Subject to the availability of funds, DIPR may consider releasing advertisements to Electronic Media/News Portals which fulfill the criteria, to be determined by the Empanelment Committee. Provided that the Empanelment Committee shall co-opt such experts as it deems appropriate to firm up the criteria for issuing advertisements to the empanelled electronic media/news portals.

Review of Advertisement Policy :

- (10) The Government shall assess the implementation of this Policy from time to time and may make such amendments in the Advertisement Policy as would be considered appropriate as and when the need arises.

(Sd.) R. K. KATOCH, KAS,

Additional Secretary to Government,
Information Department.



THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 2nd June, 2016/12th Jyai., 1938. [No. 9

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

Subject :—Assumption of Charge.

In compliance to Government Order No. 365-GAD of 2016 dated 11-04-2016, I, Munir-ul-Islam hereby assume the charge of Director, Information, J&K Government today the 30th of April, 2016 (A. N.).

(Sd.) **MUNIR-UL-ISLAM, KAS,**

Director, Information.

18 The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. [No. 9

Subject :—Handing over/taking over the charge of the post(s) of
Administrative Secretary, Information, H&P, Civil Aviation and
Estates Departments.

In pursuance of Government Order No. 389-GAD of 2016 dated
18-04-2016, we the undersigned hereby handover/takeover the charge of
the post(s) of Administrative Secretary, Information, H&P, Civil Aviation
and Estates Departments today i. e. on April 18, 2016 afternoon.

(Sd.) B. B. VYAS, IAS,

Financial Commissioner,
Planning and Dev. Department.

Relieved Officer.

(Sd.) NAVIN KUMAR CHOUDHARY, IAS,

Principal Secretary to Hon'ble Chief Minister.

Relieving Officer.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Thu., the 2nd June, 2016/12th Jyai., 1938. [No. 9

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER (REVENUE), JAMMU.

Notice under sections 9&9-A of the Land Acquisition Act,
Svt. 1990.

Whereas, the under mentioned land is required for public purposes namely for the construction of PMGSY Road at Village Kathar, Tehsil Dansal, District Jammu and the same stands declared under sections 6&7 of the Land Acquisition Act by the Deputy Commissioner, Jammu vide Notification No. 24/DCJ of 2015-16 issued under endorsement No. DCJ/LA/PMGSY-Kathar/Noti-6&7/2015-16/815-21 dated 21-12-2015.

Accordingly, all the interested persons in the said land are hereby called upon to attend personally or by an agent in the office of undersigned within a period of 15 days to state the nature of their respective interest in the land and the amount and the particulars of their claims to compensation for such interests :-

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Jammu	Dansal	Kathar	322 min	K. M. 00-03
			322 min	00-02
		6101/90		00-02
			173 min	01-05
			319 min	00-02
			175 min	00-11
			179 min	00-04
			176	00-14
			176 min	01-04
			176 min	00-06
			3218 min	01-03
		5617/321		01-12
			168 min	01-08
			169 min	00-07
			174 min	01-01

1	2	3	4	5
K. M.				
	173		00-05	
	3224		06-01	
	3223		00-07	
	3227		00-08	
	3230	min	00-07	
	3231	min	00-13	
	3233	min	00-11	
	3233	min	00-04	
	3233	min	00-05	
	3218	min	01-03	
	3216	min	01-02	
	3234	min	00-05	
	3233	min	00-07	
	3233		00-05	
	3336		00-06	
	3231		04-04	
	3234	min	00-04	
	3234	min	00-02	
	3234	min	00-02	
	3235/1		00-06	

1	2	3	4	5
K. M.				
		3236	min	00-13
		3239		00-02
		3240		00-14
		3241		00-07
		3304	min	00-06
		3241	min	00-11
		3241	min	00-09
		3276		01-10
		3272-3275		00-16
		3272	min	00-16
		3271	min	
		3270		00-11
		3270	min	00-03
		3270	min	00-04
		3270	min	00-12
		3288	min	00-15
		3288	min	00-17
		3288	min	00-02
		4607	min	01-05
		4655	min	00-01

1	2	3	4	5
				K. M.
			4656	00-02
			4657	00-01
			4658	00-02
			4659	00-04
			4660	00-02
			4661	00-02
			4662	00-02
			4663	00-03
			4664	00-03
			4665	00-03
			4666 min	00-03
			4667	00-01
			4668	00-02
			4537	00-02
			4538	00-03
			4535	00-01
			4536	00-02
			4539	00-02
			4540	00-02
			4541	00-01
			4542	00-03

1	2	3	4	5
K. M.				
		4543		00-01
		4544		00-02
		4595		00-02
		4599		00-01
		4600		00-01
		4601	min	00-04
		4671	min	00-10
		4672		00-03
		4673		00-04
		4674		00-06
		4450		00-01
		4472		00-19
		4471		00-10
		3858	min	00-02
		3860		00-07
		3863	min	00-03
		3862	min	00-14
		3884		00-01
		3885		00-01
		3886		00-01
		3887	min	00-01
		3888	min	00-01
		3889		00-01

1	2	3	4	5
				K. M.
	3898			00-01
	3900			00-01
	3901			00-01
	3902	min		00-01
	3909	min		00-02
	3910	min		00-02
	3911	min		00-02
	3912	min		00-03
	3913			00-02
	3914			00-02
	5601	min		07-18
	5601	min		00-01
	5601	min		00-01
	5601	min		00-01
	5601	min		00-10
	5601	min		00-01
	3313	min		00-08

			G. Total	55-04

(Sd.) DR. TAHIR FIRDOOS, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Rev.),
Jammu.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER,
(COLLECTOR, LAND ACQUISITION), NANDINI HILLS,
SAMBA, J&K.

Subject :—Acquisition of land measuring 14 Kanals 11 Marals for laying of 35 Nos. Tower Foundation of 132 KV S/C Transmission Line on D/C Tower from 132/66 KV Grid Station, Samba to RTSS at Samba, District Samba.

Notification under section 4 (1)

In exercise of powers conferred under sub-section (1) of section 4 of the Land Acquisition Act, Svt. 1990, I, Pawan Kumar Sharma, KAS, Collector, Land Acquisition (Additional Deputy Commissioner), Samba do hereby notify that the land particulars of which are given below is needed for public purposes namely for laying of 35 Nos. Tower Foundations of 132 KV S/C Transmission Line on D/C Tower from 132/66 KV Grid Station, Samba to RTSS at Samba, District Samba.

Any objection to the acquisition of the said property may be filed in this Collectorate within 15 days from the date of issuance of this notification. After the expiry of time period no objection will be entertained in this office.

Particulars of land

District	Village	Kh. Nos.	Area
1	2	3	4
K. M. S.			
Samba	Ramnagar	286 min	00-09-00
		288	00-09-00

1	2	3	4
K. M. S.			
	314	00-06-00	
Rakh Amb Tali	311	00-08-00	
	335	00-6.5-00	
	342	00-06-00	
Mandhera	621/290	00-6.5-00	
	615/287	00-6.5-00	
	530/133	00-07-07	
	140	00-4.5-00	
	387/237	00-6.5-00	
	579/235	00-09-00	
	310/174	00-08-00	
	555/198	00-04-02	
	207	00-6.5-00	
	334/327/1	00-09-00	
	334/327/1	00-05-04	
	334/327/1	00-09-00	
	334/327/1	00-09-00	
Bela-Samba	55/50/34	00-09-00	
Nandini	95/43	00-09-00	
Bela-Samba	55/50/34	00-16-00	

1	2	3	4
K. M. S.			
	55/50/34	01-00-00	
Arazi-Samba	284/245/25	00-6.5-00	
Daboh	203	00-07-01	
	203	00-09-00	
Arazi-Samba	284/245/25	00-11-00	
	44 min	00-11-00	
	44	00-6.5-00	
	227/36	00-6.5-00	
	265/261/244/36	00-05-08	
	44 min	00-10-00	
Behri	5	00-09-00	
	6 min	00-09-00	
	25 min	00-09-00	
	Total	14-11-00	

(Sd.) PAWAN KUMAR SHARMA, KAS,

Additional Deputy Commissioner,
Samba.

OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ACR), RAMBAN.

Notification

In exercise of the powers vested in me under section 4, sub-section (1) of the J&K State Land Acquisition Act, Svt.1990, I, Vevaik Puri (KAS), Collector, Land Acquisition (ACR), Ramban do hereby notify that the below mentioned land is needed for public purpose namely for establishment of “CRPF, Transit Camp at Village Dalwas” Tehsil and District Ramban.

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area
Ramban	Ramban	Dalwas	891	10-07
			890	01-16
			893	05-02

			Total	17-05

Objection, if any, to the proposed acquisition shall be submitted to this Collectorate within 21 days from the date of publication of this notification.

(Sd.) VEVAIK PURI, KAS,

Collector,
Land Acquisition (ACR),
Ramban.

OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ADDITIONAL DEPUTY COMMISSIONER),
RAMBAN.

Notification

On indent placed by Project Director, NH-A1 PIU, Srinagar vide his No. PD/SGR/14022/LA-Ramban/43 dated 25-05-2013 and in exercise of the powers vested in me under section 4, sub-section (1) of the J&K Land Acquisition Act, Svt. 1990, I, Babu Ram (KAS), Collector, Land Acquisition (Additional Deputy Commissioner), Ramban do hereby notify that the land particulars of which are given below is likely to be needed for public purpose namely for widening of NH-A1 in Village Bankoot area measuring 03 Kanals 17 Marals, Tehsil Banihal, District Ramban.

Objection, if any, to the proposed acquisition shall be received by the undersigned within 15 days from the date of publication of this notification.

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area	
					K. M.
Ramban	Banihal	Bankoot	832/607	02-17	
			832/607	00-08	
			831/607	00-12	

			Total	03-17	-----

(Sd.) BABU RAM (KAS),
Collector,
Land Acquisition (ADC),
Ramban.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE TRANSPORT COMMISSIONER/CHAIRMAN,
STATE TRANSPORT AUTHORITY, J&K,
OLD SECTT., SRINAGAR.

Subject :—Issuance of instructions for implementation of Rule 85 (10) (11)
of the Central Motor Vehicles Rule, 1989.

Order No. 63 of 2016

Dated 12-05-2016.

Rule 85 (10) of the Central Motor Vehicles Rules, 1989 requires maintenance of Log Book containing details of the passengers for each journey of the vehicle with the tourist permit. The details of the Log Book has to be furnished to the Chairman, State Transport Authority (STA), once in every three months. Under sub-rule (11) of Rule 85 in order to facilitate submission of information on a uniform pattern, I, Pervez Iqbal Khateeb, IAS, Transport Commissioner, J&K hereby direct that the information under Rule 85 (11) shall henceforth be furnished in the format annexed to this order. All permit holders of tourist permit vehicles are advised to do the needful to avoid inconvenience arising out of any default.

(Sd.) P. I. KHATEEB, IAS,

Transport Commissioner and Chairman,
State Transport Authority,
J&K, Srinagar.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE TRANSPORT COMMISSIONER
CHAIRMAN, STATE TRANSPORT AUTHORITY,
J&K, SRINAGAR.

Annexure to Government Order No. 63 of 2016

Dated 12-05-2016.

Statement showing details of trips carried out during the quarter—————
to—————

(i) Vehicle Registration No.————— (ii) Date of Registration—————
(iii) All India Permit No.————— (iv) Permit up to—————
(v) Name and address of the owner/permit valid holder—————
(vi) Contact No. of Owner—————
(vii) Name and Contact No. of the driver—————
(viii) License No. of the driver—————
(ix) Issuing Authority and validity of Licence—————

S. No.	Date	Details of Journey Points	Name, Contact No. and Address of the hirer	Total Passengers

No. 9] The J&K Govt. Gazette, 2nd June, 2016/12th Jyai., 1938. 123

It is certified that the above information is correct to the best of my knowledge and belief. It is further certified that I have maintained the requisite Log Book and detailed list of passengers in respect of each trip as per Rule 85 of the CMVR, 1989, which shall be made available to the authorities on demand.

Place :

Date :

(Signature of the Owner/Permit holder)

GOVERNMENT OF JAMMU AND KASHMIR,
DIRECTORATE OF INDUSTRIES AND COMMERCE
(REGISTRAR OF SOCIETIES/FIRMS, JAMMU),

1st Floor, Jawahar Lal Nehru Udyog Bhawan,
Rail Head Complex, Jammu.

It is notified for information of general public that M/s. Jai Chandi Maa Group of Engineers, W. No. 11, Mandian, Reasi has applied for recording change of the constitution of their firm under section 63 of J&K State Partnership Act, 1996.

(1) Name of the Outgoing Partner :

- (a) Shri Rohit Gupta S/o Lt. Shri Sat Pal Gupta R/o H. No. 173, W. No. 14, Dhar Road, Udhampur ; and
- (b) Shri Rohit Verma S/o Shri Hans Raj Verma R/o Main Street, Near BDO Office, Kullar, Udhampur, has retired from the firm w. e. f. 19-04-2016.

(2) Name of the Incoming Partner :

- (a) Miss Tania Puri D/o Shri Raj Kumar Puri R/o W. No. 5, Reasi, Tehsil and District Reasi ; and

(b) Mr. Shubham Arora S/o Shri Guru Charan R/o W. No. 5, Reasi has joined the firm w. e. f. 19-04-2016.

Before the change is accorded in their registration the general public/institutions/firms etc. is hereby informed that if anybody has any objection regarding the change in the constitution, the same shall be filed/conveyed in the Office of Registrar of Firms (Director, Industries and Commerce, Jammu, Rail Head Complex, Jammu) within 15 days from the publication of this notice. No objections shall be entertained after the lapse of time.

(Sd.)

For Registrar of Firms,
J&K Govt., Jammu.

Notice

I, Surinder Kumar S/o Late Sh. Amrit Lal Sharma R/o H. No. 18-A Private, Opp. Church, Gandhi Nagar, Jammu do hereby notify that my daughter Sanjana Sharma is studying in 9th Class Section-D in Presentation Convent, Senior Secondary School, Gandhi Nagar, Jammu and the name of her mother has been wrongly entered as Bindu Sharma instead of Bindu Mati. Now, I am applying for the correction of my wife's name from Bindu Sharma to Bindu Mati. Objections, if any, may be conveyed to the concerned authority within 7 days from the date of publication of the notice.



THE
JAMM AND KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 2nd June, 2016/12th Jyai., 1938. [No. 9

Separate paging is given to this part in order that it may be filed as a separate compilation.

ADVERTISEMENTS-C

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE GENERAL MANAGER, RANBIR GOVERNMENT
PRESS, JAMMU (TAWI)—180 005.

e-Tender Notice No. 66 of 2016

Dated 23-05-2016.

For and on behalf of the Governor of Jammu and Kashmir, sealed tenders affixed with revenue stamps worth Rs. 5/- are invited from manufacturers, authorized dealers, registered firms/suppliers for the purchase of Press Material Items annexed to this tender notice with specifications in the schedule forming part of terms and conditions of this NIT. The e-Tender Notice can also be download/accessed on our official website rgp.jk.gov.in.

S. No.	Name of the tender	Cost of tender fee	Earnest money
1	2	3	4
1.	Press Material Items	Rs. 100/-	Rs. 20,000/- or equivalent to 2% of their Tendered Cost

subject to minimum of Rs. 5,000/-.

However, the registered SSI Units are required to furnish 50% of the prescribed earnest money subject to minimum of Rs. 5,000/-.

1. The tender document for the items can be seen from 28-05-2016 (9.00 A. M.) on the website <http://jktenders.gov.in>.
2. The tender documents can be downloaded from the website <http://jktenders.gov.in> from 28-05-2016 (9.00 A. M) to 30-06-2016 (2.00 P. M.) only.
3. The bids shall be deposited in electronic format on website <http://jktenders.gov.in> from 28-05-2016 (9.00 A. M.) to 30-06-2016 (2.00 P. M.) only.
4. The uploaded bids on the website will be opened on 11-07-2016 (12.00 Noon) in the Office of General Manager (Convenor), Unit Purchase Committee, Ranbir Govt. Press, Jammu in presence of bidders who wish to attend. In case of holiday on the date of opening of bid, bids will be opened on the next working day at the same time and venue.

For and on behalf of the Governor of Jammu and Kashmir.

(Sd.) F. H. QADRI,

General Manager.

GOVERNMENT OF JAMMU AND KASHMIR,

OFFICE OF THE GENERAL MANAGER, RANBIR GOVERNMENT
PRESS, JAMMU (TAWI)—180 005.

Auction Notice

An open auction of the unserviceable, outdated/obsolete Machinery and Equipments lying in the premises of Ranbir Government Press, Jammu will be held on 15-06-2016 at 11.00 A. M. The rules and regulations are as under :—

1. All the interested bidders on publication of this auction notice can inspect the material of old obsolete/obsolete unserviceable Machinery and Equipments in the premises of Ranbir Government Press, Jammu on any working day up to 14-06-2016 till 2.00 P. M.
2. The auction of unserviceable, outdated/obsolete Machinery and Equipments will be conducted on the basis of “AS IT IS WHERE IT IS AND WHATSOEVER CONDITION IT IS”.
3. The auction of obsolete/obsolete Machinery and Equipments will be auctioned on the basis of per Kg.
4. Auction will be conducted in presence of Auction Committee.
5. The earnest money shall be deposited by the interested bidders in the shape of CDR of Rs. 2.00 lacs only pledged to the General Manager, Ranbir Government Press, Jammu up to 14-06-2016 till 2.00 P. M.
6. Full payment shall have to be deposited by successful bidder in the manner as mentioned below :—
 - (i) 25% of total bid amount shall have to be deposited by the highest bidders at the fall of hammer.

- (ii) 75% of the bid amount shall have to be deposited by the bidders before lifting the material.
- 7. The successful bidder shall have to pay himself VAT/Tax etc., if any, admissible under rules, and copy of the same deposit to this office for office record.
- 8. Successful bidders will have to lift the auctioned material within 10 days.
- 9. The successful bidders shall himself be responsible for watch and guard of the material owned by him.
- 10. The interesting bidders are requested to inspect the material thoroughly before bid offer and can also download/accessed Auction Notice on our official website rgp.jk.gov.in.
- 11. In case of any further terms and conditions as to be put for the said auction, the same shall be announced on spot on the date of auction by the Auction Committee.
- 12. The Auction Committee reserve the right of accept/reject any bid without assigning any reasons thereof.

(Sd.) F. H. QADRI,

General Manager.

رجسٹر ڈنبر ہے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 129 - سرینگر - مورخہ 2 جون 2016ء بمقابلہ 12 جیسٹھا 1938 ویوار - نمبر 9

اشتہارات

از عدالت پر سپل سیشنز نج سانبہ

سرکار بنام عبدالجید

مل نمبر 05/ چالان، دائرہ 05-04-2016، تاریخ 05-04-2016

کارروائی 512 ضف

مل نمبر 195 سال 2012، تھانہ پولیس

بجرائم زید دفات 188 RPC 295-A RPC

وارنٹ گشتی زیر دفعہ 512 ضف

بخلاف ملزم : اطیف محمد ولد نور حسین ساکنہ دوھار سدھڑا جموں

حکم بنام : الہکار ان پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان بالا ملزم مذکورہ صدر عرصہ دراز سے دستیاب نہ ہو رہا ہے۔

الہذا آپ کو بذریعہ وارنٹ ہذا حکم و اختیار دیا جاتا ہے کہ ملزم مذکور جہاں کہیں

بھی اندر حدود ریاست جموں و کشمیر دستیاب ہو کو گرفتار کر کے رو برو عدالت پیش کریں۔

وارنٹ ہذا تا دستیابی ملزم مذکور زیریکار رہے گا۔

آج بتاریخ 5 ماہ اپریل سال 2016ء، ہمارے دستخط و مہر عدالت سے
جاری ہوا۔

دستخط : پرنسپل سیشنر نج سانبہ۔

از عدالت پرنسپل سیشنر نج کو گام

سرکار بنام گلشن انصاری ولد غلام رسول ساکنہ کشوریہ کلوری ضلع پر وھان بگال (ملزم)

علت نمبر 67 سال 2006ء، تھانہ پولیس قاضی گندھار

بجرائم زیر دفعات 363, 370, 34/ RPC

وارنٹ گشتی عام زیر دفعہ 512 ضف ملزم صدر

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان الصدر میں آپ کو حکم و اختیار دیا جاتا ہے کہ ملزم صدر کو جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر میں دستیاب ہو تو گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ گشتی عام تا دستیابی ملزم زیر کار رہے گا۔

تحریر 24-03-2016

دستخط : پرنسپل سیشنر نجح کو لگام۔

از عدالت جو ڈیشل محسٹر یٹ درجہ اول قاضی گندکشہمیر

سرکار بنام شہباز احمد خان ول محمد اکرم خان ساکنہ پلما تحصیل راجوری (ملزم)

علت نمبر 70 سال 2011ء ، تھانہ پولیس قاضی گند

بجرائم زیر دفعات 279,337,338,304-A/427 RPC

وارنٹ گشتی عام : ملزم الصرار

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان الصدر میں آپ کو بذریعہ وارنٹ گشتی عام سے حکم دیا جاتا ہے کہ آپ ملزم الصرار جہاں کہیں جب بھی ریاست جموں و کشمیر میں دستیاب ہو تو اس کو گرفتار کر کے عدالت ہذا میں بحراست ضابطہ پیش کریں۔ وارنٹ ہذا دستیاب ملزم زیر کار رہے گا۔

63 - جموں و کشمیر گورنمنٹ گزٹ نمبر 9 مورخہ 2 جون 2016ء بمقابلہ 12 جیسا 1938ء۔ فیصلہ

آج دستخط رقم و مہر عدالت ہذا سے اجراء ہوئی ہے۔ تحریر 25-03-2016

دستخط : جوڈیشل مسٹریٹ درجہ اول قاضی گند۔

از عدالت چیف جوڈیشل مسٹریٹ شوپیان

سرکار بنام محمد اشرف میر وغیرہ

ملت نمبر 48 سال 2011ء، تھانہ پولیس شوپیان

بجراں مزید فعالت 379/RPC 6/F. Act

وارنٹ کشٹی عام مزید فعالت 512 ضف

بخلاف ملزم: نثار احمد گیلانی ولد سعید طیف گیلانی ساکنہ سلسار بارہ مصلہ حال بڑہ پورہ شوپیان

حکم بنام: اہلکار ان پولیس ریاست جموں و کشمیر۔

مقدمہ مندرجہ عنوان الصلوٰہ ملزم صدر عرصہ دراز سے غیر حاضر آ رہا ہے اور اب عدالت ہذا کو اطمینان ہوا ہے کہ اس کی دستیابی بطريق احسن ممکن نہیں ہے۔

لہذا آپ کو حکم و اختیار دیا جاتا ہے کہ جہاں کہیں بھی ملزم دستیاب ہو اس کو گرفتار کر کے عدالت ہذا میں بحراست ضابطہ پیش کیا جائے۔ تحریر 30-12-2015

دستخط: چیف جوڈیشل مسٹریٹ شوپیان۔





THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Srinagar, Thu., the 24th March, 2016/4th Chai, 1938. [No. 52-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT-DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Judicial Administration Section)

Notification

Jammu, the 24^h March, 2016.

SRO-98.—In exercise of powers conferred by section 124 of Constitution of Jammu and Kashmir read with section 492 of the Code of Criminal Procedure, Samvat 1989 (1933 A. D.), the Government of Jammu and Kashmir hereby makes the following rules governing the appointment

and conditions of service of the Law Officers of the State of Jammu and Kashmir :—

CHAPTER I

Preliminary

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir Law Officers (Appointment and Conditions of Service) Rules, 2016.

(2) It shall come into force at once.

(3) These rules shall apply to the Advocate General and the following other Law Officers, namely :—

- (a) Additional Advocates General in High Court of Jammu and Kashmir and Supreme Court of India ;
- (b) Deputy Advocates General in High Court of Jammu and Kashmir and Supreme Court of India ;
- (c) Advocates-on-Record, Supreme Court of India ;
- (d) Government Advocates ;
- (e) Public Prosecutors ;
- (f) Standing Counsel in the High Court and Subordinate Courts ;
- (g) Special Counsels.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

- (a) “Advocate General” means the person appointed as Advocate General under section 42 of the Constitution of Jammu and Kashmir ;

- (b) “Government” means the Government of Jammu and Kashmir ;
- (c) “Law Officer” means an Advocate General, Additional Advocate General, Deputy Advocate General, Advocate-on-Record, Government Advocate, Public Prosecutor, Standing Counsel appointed by the Government for the purpose of conducting any civil or criminal case for and on behalf of State in the Supreme Court, High Court of Jammu and Kashmir or any other Civil or Criminal Court in the State ; and
- (d) “State” means the State of Jammu and Kashmir.

3. *Administrative control of Law Officers.*—Save as otherwise provided under section 42 of the Constitution of Jammu and Kashmir, all other Law Officers of the State shall be under the administrative control of the Department of Law, Justice and Parliamentary Affairs. All references to the Government in respect of matters relating to the Advocate General and other Law Officers shall be addressed to the Administrative Secretary of the Department of Law, Justice and Parliamentary Affairs.

CHAPTER II

Appointment of Law Officers

4. *Applicability of this Chapter.*—In this Chapter, unless the context otherwise requires, the term ‘Law Officer’ shall include Additional Advocate General, Deputy Advocate General, Government Advocate and Standing Counsel appointed by the Government for conducting the cases on behalf of State before the High Court of Jammu and Kashmir.

5. *Appointment of Law Officers.*—(1) No person shall be eligible for appointment as an Additional Advocate General unless he—

- (i) has been in practice as an Advocate for at least ten years ;

- (ii) has at least eight reported judgments to his credit where he has contributed to the growth of law or has substantially contributed in the field of civil, criminal, constitutional, revenue matters including taxation laws before appropriate Courts, Foras, Tribunal of the State ; and
- (iii) is an income tax payee and furnishes income tax return of the previous year.

(2) No person shall be eligible for appointment as a Deputy Advocate General unless he—

- (i) has been in practice as an Advocate for at least eight years ;
- (ii) has at least five reported judgments to his credit where he has contributed to the growth of law or has substantially contributed in the field of civil, criminal, constitutional, revenue matters including taxation laws before appropriate Courts, Foras, Tribunals of the State ; and
- (iii) is an income tax payee and furnishes income tax return of the previous year.

(3) No person shall be eligible for appointment as a Government Advocate unless he has been in practice as an Advocate for at least five years.

(4) No person shall be eligible for appointment as a Standing Counsel for the High Court unless he has been in practice as an Advocate for at least five years.

6. *Term of office.*—(1) All Law Officers shall be appointed by the Government and shall hold office during the pleasure of the Government unless otherwise ordered in the order of appointment, a person appointed as Law Officer shall hold office at a time, for a term not exceeding one year, but shall be eligible for re-appointment after such term.

(2) The services of a Law Officer so appointed shall be liable to be dispensed with at any time, if it appears that the conduct of such Law Officer in the opinion of the Government is contrary to these rules or is incompatible with his duties as Law Officer. In such cases the decision of the Government shall be final.

(3) Save as otherwise provided in sub-rule (2) and subject to other provisions of these rules, the Government may dispense with the services of a Law Officer at any time without assigning any reason.

(4) A Law Officer may resign from his office by giving one months notice in writing to the Government :

Provided that the Law Officer intending to resign the office shall be fully responsible for the conduct of the Government litigation during the period of notice and up to the date of handing over charge of the office. The Law Officer shall be legally accountable for his conduct if the same has resulted in loss to the Government or prejudicial or detrimental to the interests of the Government.

7. *Headquarters.*—(1) The headquarters of the Law Officers appointed for Srinagar Wing of the High Court shall be at Srinagar.

(2) The headquarters of the Law Officers appointed for Jammu Wing of the High Court shall be at Jammu.

(3) The headquarters of the Law Officers appointed for Supreme Court of India shall be at New Delhi.

8. *Review of the work of Law Officer.*—(1) The work of the Law Officer shall be reviewed twice a year. The Law Officer shall be required to furnish half yearly report by 31st of January and 31st of July every year regarding institution, disposal and pendency of all cases assigned to such Law Officer. The reports shall be furnished to the Office of the Advocate General and thereafter a compiled statement shall be sent to the Government in the Department of Law, Justice and Parliamentary Affairs through the Office of Advocate General.

(2) For the purpose of review of work under sub-rule (1) the views of the officers of Department of Law, Justice and Parliamentary Affairs dealing with litigation matters and the concerned department of the Government for which Law Officer has been engaged shall also be considered.

9. *Restrictions.*—A Law Officer shall not—

- (i) except with the special sanction of the Government, hold any brief against the Government, or advise, appear or act in any case against the Government or give advice to private parties in cases in which he is likely to be called upon to advise the Government or any Government servant ;
- (ii) act or appear on behalf of plaintiff in a suit in which the plaintiff has applied for permission to sue in forma pauperis until the application for such permission has been decided by the court ;
- (iii) act or appear on behalf of, or advise, any accused person ;
- (iv) stand for election to any local authority without the previous permission of the Government and in case a Law Officer is member of any local authority at the time of his appointment, he shall resign his membership immediately after such appointment unless he obtains the permission of the Government for continuing as such member ;
- (v) accept any fees from any person in any case or proceeding in any court in which he appears or acts on behalf of Government ;
- (vi) communicate without the previous permission of the Government directly or indirectly to any person any document or information which has come to his possession in the course of his duties, save in so far as it is necessary for the conduct of the case and to safeguard the interest of the Government.

10. *Transfer of Records.*—On the expiry of term of office, whether by efflux of time or otherwise, a Law Officer, shall prepare a list of cases, references and official correspondence pending with him and handover all records to the Law Officer succeeding to him or to such other Law Officer as the Government may specify, obtain a receipt for the same and report the fact to the Government.

11. *Law Officers bound by the rules, orders etc.*—Every Law Officer shall be bound by the provisions of these rules and such other corresponding rules as prescribed by Bar Council of India or the Bar Council of the State and shall also be bound by the orders and directions as the Government from time to time make.

12. *Providing of certified copies and prohibition to concessions by Law Officers.*—(1) Every Law Officer shall apply for certified copy of the judgment or order of the court within three days after the pronouncement of such judgment or order and shall send his report to the concerned department within three days after receiving certified copy of the judgment or order.

(2) No Law Officer shall without the oral or written authority of a responsible officer either in the Department of Law, Justice and Parliamentary Affairs or in the concerned administrative department concede any claim or part thereof against the Government or make any statement detrimental to the interests of the State in any proceedings before any court :

Provided that an oral permission shall be confirmed in writing within three days from the date of such oral permission.

13. *Time limit for preferring claims.*—The claims of remuneration under these rules shall be preferred to the Administrative Secretary, Department of Law, Justice and Parliamentary Affairs within ninety days from the date of disposal of the respective cases :

Provided that Government may, for stated reasons to be in writing by the Law Officer concerned and satisfied, condone the delay :

Provided further that while calculating ninety days, the time taken for obtaining certified copy of the judgment and decree shall be excluded.

14. *Retainership and remuneration.*—The retainership and other remuneration including counsel fee payable to a Law Officer shall be such as may be specified from time to time.

CHAPTER III

Advocate General

15. *Advocate General.*—(1) The Advocate General shall be appointed and shall hold office in accordance with section 42 of the Constitution of Jammu and Kashmir.

(2) The Advocate General shall,—

- (a) advise other Law Officers if consulted by them ;
- (b) advise the Government upon such legal matter including legislative proposals as may, from time to time, be referred to him by the Government ;
- (c) represent the Government in such proceedings whether civil, criminal, original, appellate, or otherwise before the High Court of Jammu and Kashmir or any other High Court or the Supreme Court to which the Government is a party, as the Government may, by special or general order require ;
- (d) represent the Government in the Supreme Court and in the High Court in cases in which the Supreme Court or the High Court has directed notice to the Advocate General or in which Advocate General's appearances is required by the High Court or Supreme Court ;
- (e) represent the Government in any proceeding before any tribunal or other authority or in any court subordinate to the High Court, if specially required by the Government.

(3) The Advocate General may, if he is designated as a Senior Advocate under Advocate Act, 1961, call upon the Law Officer to assist

him in cases in which he represents the Government or may propose a panel of suitable Advocates for their engagement.

(4) The Advocate General shall, subject to general or special directions, if any, issued by the Government and the provisions of these rules, supervise and control the work of Law Officers.

(5) The salary and other remuneration payable to Advocate General shall be such as may be specified from time to time.

16. *Headquarters.*—The headquarters of the Advocate General shall be same as that of the seat of the Government.

CHAPTER IV

Advocates-on-Record

17. *Advocates-on-Record.*—(1) The Government may appoint one or more Advocate-on-Record on behalf of the Government to be incharge of cases, both civil and criminal, before the Supreme Court.

(2) If more than one Advocate-on-Record is appointed, the Government cases before the Supreme Court shall be distributed between them.

(3) Advocate-on-Record shall attend to all work connected with the case entrusted to him provided that in cases involving extra drafting or pleading work, he may, with the previous approval of the Government, secure the assistance of any other Advocate.

(4) On instructions by the Government in important cases, the Advocate-on-Record shall take steps to brief the Advocate General or a Senior Counsel included in the Panel of Senior Advocates prepared by the Government and suggested by the Government.

(5) The Advocate-on-Record shall be paid such fees as may be determined by the Government from time to time.

(6) The provisions of rules 9, 10, 11, 12 and 13 shall *mutatis mutandis* apply to the Advocate-on-Record.

18. *Eligibility for appointment of Advocate-on-Record.*—No person shall be eligible for appointment as an Advocate-on-Record unless he—

- (i) has been in practice for at least seven years in the Supreme Court of India out of which three years should be as an Advocate-on-Record ; and
- (ii) is an income tax payee and furnishes income tax return of the previous year.

19. *Additional Advocates.*—(1) The Government may also appoint one or more Advocates on behalf of the Government as Additional Advocate General or as Standing Counsel in cases before the Supreme Court.

(2) The Additional Advocate General or the Standing Counsel shall appear and argue all matters entrusted to him by the Government.

(3) The Additional Advocate General or the Standing Counsel shall also undertake the drafting work which is necessary and incidental to the progress of matter which is entrusted to him.

(4) The Additional Advocate General and the Standing Counsel shall paid fees as may be determined by the Government from time to time.

CHAPTER V

Appointment of Public Prosecutors

20. *Appointment of Public Prosecutors and Additional Public Prosecutors.*—(1) The number of posts of Public Prosecutors and Additional Public Prosecutors in the State shall be such as may be fixed by the Government from time to time.

(2) No person shall be eligible for appointment as a Public Prosecutor or Additional Public Prosecutor unless he—

- (i) has been in practice as an Advocate for at least seven years ; and
- (ii) has experience of handling criminal cases specially sessions trial.

21. *Term of Office.*—(1) The Public Prosecutors and Additional Public Prosecutors shall be appointed by the Government and shall hold the office during the pleasure of the Government.

(2) A Public Prosecutor or Additional Public Prosecutor shall be liable to be removed from office at any time if he is guilty of an act or conduct which, in the opinion of the Government, is contrary to these rules or is incompatible with his duties as such Public Prosecutor or Additional Public Prosecutor. In such case, the decision of the Government shall be final.

(3) Save as otherwise provided in sub-rule (2) and subject to other provisions of these rules the Government may terminate the appointment of a Public Prosecutor or Additional Public Prosecutor at any time without assigning any reason.

(4) A Public Prosecutor or Additional Public Prosecutor may resign from his office by giving one months notice in writing to the Government :

Provided that the Public Prosecutor or Additional Public Prosecutor intending to resign the office shall be fully responsible for the conduct of the Government litigation during the period of notice and up to the date of handing over charge of the office. The Public Prosecutor or Additional Public Prosecutor, as the case may be, shall make good the loss, if any, cause to the Government due to failure on his part and shall also be liable for legal action for such failure.

22. *Public Prosecutors and Additional Public Prosecutors to be bound by rules and orders.*—Every Public Prosecutor and Additional Public

Prosecutor shall be bound by the provisions of these rules and such other orders or directions as the Government from time to time.

23. Providing of certified copies by Public Prosecutors and Additional Public Prosecutors.—Every Public Prosecutor and Additional Public Prosecutor shall apply for certified copy of the judgment or order of the court within three days after the pronouncement of such judgment or order and shall send his report to the Department of Law, Justice and Parliamentary Affairs within three days after receiving certified copy of the judgment or order.

24. Time limit for preferring claims.—The claims of remuneration under these rules shall be preferred to the Administrative Secretary, Department of Law, Justice and Parliamentary Affairs within ninety days from the date of disposal of the respective cases :

Provided that Government may, for stated reasons to be in writing by the Public Prosecutor and Additional Public Prosecutor concerned and satisfied, condone the delay :

Provided further that while calculating ninety days, the time taken for obtaining certified copy of the judgment and decree shall be excluded.

25. Retainership and remuneration.—The retainership and other remuneration including counsel fee payable to a Public Prosecutor and Additional Public Prosecutor shall be such as may be specified from time to time.

26. Duties of Public Prosecutor and Additional Public Prosecutor.— It shall be the duty of a Public Prosecutor and an Additional Public Prosecutor to—

- (i) to conduct the prosecution and proceeding connected therewith in every trial before the Court of Sessions ;
- (ii) to appear before Court of Sessions for the State at the hearing of any appeal against a conviction or an application for the

revision of sentence, or order of discharge or any other order against which an appeal lies ;

- (iii) to assist the Advocate General or any other Law Officer in the High Court whenever either required by them or by the Government in any appeal or other proceedings relating to a case he has conducted in the Court of Sessions ;
- (iv) when specially required in writing by the Government to conduct the prosecution in any case before a Judicial Magistrate in the District for which he is appointed ; and
- (v) in criminal cases where the accused person is a Government servant, to intimate the Head of Department to whom the said Government servant is subordinate about the final order passed by the court, immediately after the said order is passed.

27. *Special Public Prosecutors.*—The Government may appoint, generally, or in any case, or for any specified clause of cases, in any local area one or more Special Public Prosecutors to conduct prosecution on behalf of the State. The fee payable to such Special Public Prosecutor shall be determined by the Government on case to case basis depending upon the nature of each case and standing of the Advocate at Bar.

CHAPTER VI

Standing Counsels for the Subordinate Courts

28. *Standing Counsel for the subordinate courts.*—(1) The Government may, appoint as many as Standing Counsel for defending Government cases in the subordinate courts, as are considered necessary.

(2) No person shall be eligible for appointment as Standing Counsel for subordinate courts unless he has been in practice as an Advocate for at least two years.

(3) The Standing Counsel shall attend to the cases entrusted to him by the Government.

(4) The provisions of rules 9, 10, 11, 12 and 13 shall *mutatis mutandis* apply to the Standing Counsels for the subordinate courts.

(5) All Standing Counsels shall hold office during the pleasure of the Government.

(6) The retainership and other remuneration including counsel fee payable to a Standing Counsel shall be such as may be specified by Government from time to time.

CHAPTER VII

Miscellaneous

29. *Special Counsels*.—(1) Subject to these rules the Government may appoint any Advocate as a Special Counsel either for the conduct of a civil or criminal case or writ petitions or any appeal pending in a court either within the State or in any other State or in the Supreme Court or in any High Court in the Country.

(2) Remuneration payable to a Special Counsel shall be such as may be decided by the Government in each case having regard to the nature of the case and the standing of the concerned Advocate at Bar.

30. *Monitoring Cell*.—There shall be two separate monitoring cells for the purposes of expeditious and effective disposal of the State cases pending in the respective wings of the High Court as well as in other forums. The said monitoring cell shall comprise of the following :—

1. Additional Advocate General	—	Member
2. Deputy Advocate General	—	Member
3. A representative from the Government/ Law Department of the rank of Deputy Secretary/Under Secretary	—	Member

4. Standing Counsel or any Advocate(s)	—	Member
nominated by the Advocate General		
5. The Law Officer of the concerned	—	Member
department		

The Committee shall take all possible steps to ensure speedy and expeditious disposal of the cases pending before the respective wings of the High Court and other forums. The method and procedure for carrying out these functions shall be underlined by the Advocate General. The Committee shall work under the overall supervision of the Advocate General or any person nominated by him.

31. *Power to relax.*—The Government may, for a sufficient and justifiable reasons to be recorded in writing relax any provision of these rules with the prior approval of the Chief Minister.

32. *Removal of difficulty.*—If any doubt or difficulty arises as to the interpretation of any of the provisions of these rules, the decision of the Government thereon shall be final.

By order of the Governor.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Srinagar, Tue., the 29th March, 2016/9th Chai., 1938. [No. 52-b

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 29th March, 2016.

SRO-99.—In exercise of the powers conferred by sub-section (2) of section 3 of the Jammu and Kashmir Entry Tax on Goods Act, 2000 (Act No. IV of 2000), the Government hereby exempt from payment of entry tax, leviable under the said Act, teaching material as indicated in Annexure to this notification to be imported into the State by Ekal Vidyalaya Foundation of India, Narayan Bhawan Ved Mandir Complex, Amphalla, Jammu to be distributed in different schools of the Jammu Division free of cost subject to condition that the Director, School Education, Jammu certifies that the said goods/items are exclusively meant for the aforesaid purposes.

By order of the Government of Jammu and Kashmir

(Sd.) NAVIN K. CHOUDHARY, IAS,
Commissioner/Secretary to Government,
Finance Department.

Annexure to the SRO-99

Approximate Teaching Materials 2016-17

S. No.	Anchal Name	No. of School	Name Plate (Donor Board)	Black Board	Maa Sars- wati Chart	Akshar Gyan Chart	Ank Gyan Chart	Student Attend- ence Register/ Gram- karya
1.	Kishtwar	240	240	0	240	240	240	240
2.	Udhampur	270	270	110	270	270	270	270
3.	Doda	150	150	0	150	150	150	150
4.	Bhaderwah	120	120	60	120	120	120	120
5.	Ramnagar	300	300	60	300	300	300	300
6.	Ramban	150	150	0	150	150	150	150
7.	Reasi	210	210	60	210	210	210	210
8.	Ladakh	68	68	40	68	68	68	68
9.	Kathua	210	210	90	210	210	210	210
10.	Basholi	210	210	90	210	210	210	210
11.	Rajouri	270	270	60	270	270	270	270
12.	Akhnoor	30	30	30	30	30	30	30
<hr/>								
Total		2228	2228	600	2228	2228	2228	2228
<hr/>								
Rate Per Pcs.			30	250	16	6	6	25
Sub-Total			66840	150000	35648	13368	13368	55700
Transportation 20%			13368	30000	7130	2674	2674	11140
Grand Total in Rs.			80208	180000	42778	16042	16042	66840
Weight per pcs.			0.000	3.250	0.220	0.070	0.070	0.300
Total Weight in KG			1950	490	156	156	156	668

dated 29-03-2016.
of Jammu Sambhag

Acharya Marg- darsika	KKNG	Bharat Mata Photo (New intro- duced)	Duster (New intro- duced)	Acha- rya Dairy	Panch- ang	Pencil Carbon 2 pcs. per School	Dust- less Chalks (5 Box) per School	Book (ABAK)
90	90	240	240	240	240	480	1200	240
60	60	270	270	270	270	540	1350	270
60	60	150	150	150	150	300	750	150
70	70	120	120	120	120	240	600	120
80	80	300	300	300	300	600	1500	300
60	60	150	150	150	150	300	750	150
90	90	210	210	210	210	420	1050	210
68	68	68	68	68	68	136	340	68
150	150	210	210	210	210	420	1050	210
150	150	210	210	210	210	420	1050	210
110	110	270	270	270	270	540	1350	270
30	30	30	30	30	30	60	150	30
1018	1018	2228	2228	2228	2228	4456	11140	2228
14	16	16	10	20	5	35	5	22
14252	16288	35648	22280	44560	11140	155960	55700	49796
2850	3258	7130	4456	8912	2228	31192	11140	9959
17102	19546	42778	26736	53472	13368	187152	66840	59755
0.156	0.142	0.220	0.010	0.156	0.070	0.001	0.250	0.206
159	145	490	22	348	56	4	2785	459

(Sd.) BHARAT SINGH, KAS,
 Additional Secretary to Government,
 Finance Department.

EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 128] Srinagar, Thu., the 31st March, 2016/11th Chai., 1938. [No. 53-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 31st March, 2016.

SRO-102.—Whereas, on 13-10-2011, Police Station, Baramulla received a written report from Mohammad Ismail Mir and Sheikh Gh. Qadir R/o Batmaloo, Srinagar to the effect that their sons namely Khalid Ahmad Mir and Sheikh Bilal were invited by Gh. Hassan Malik S/o Gh. Mohammad R/o Ejara, Boniyar at 7.30 P. M. who did not return home. On ascertaining,

2 The J&K Govt. Gazette, 31st March, 2016/11th Chai., 1938. [No. 53-a]

it was found that the said Gh. Hassan Malik entices youth for participating in subversive activities/militant groups and motivated them to participate in militant groups and camped at the other side of LoC and it is apprehended that both Khalid Ahmad Mir and Sheikh Bilal Ahmad have got pushed to other side of LoC by said Gh. Hassan Malik ; and

Whereas, in this connection, Case FIR No. 55/2011, under sections 13 and 18-B of the Unlawful Activities (Prevention) Act, 1967 was registered in Police Station, Boniyar, Baramulla and investigation initiated ; and

Whereas, during the course of further investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer has established a *prima facie* case against the accused persons under sections 13 and 18-B of the Unlawful Activities (Prevention) Act, 1967 apart from other offences ; and

Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the accused persons ; and

Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused person namely Gh. Hassan Malik @ Noor Khan S/o Gh.

Mohammad Malik R/o Ejara Tehsil, Boniyar, Baramulla for the commission of offence punishable under sections 13 and 18-B of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 55/2011 of Police Station, Boniyar, Baramulla.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to Government,
Home Department.

EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 7th April, 2016/18th Chai., 1938. [No. 1-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF FOREST,
ENVIRONMENT AND ECOLOGY

Notification

Jammu, the 7th April, 2016.

SRO-126.—In exercise of the powers conferred by under section 7(3) of the Jammu and Kashmir Non-Biodegradable Material (Management, Handling and Disposal) Act, 2007, the Government of Jammu and Kashmir, after consultation with the prescribed authority (Jammu and Kashmir State Pollution Control Board), hereby imposes a ban

on procuring, stocking, sale and use of Nylon Strings (Manja), used for flying kites, made out of any non-biodegradable material, as listed in Schedule-I of the said Act, whether coated or not, within the territorial limits of the State of Jammu and Kashmir.

This notification shall come in force after 30 days from the date of its publication in the Government Gazette.

By order of the Government of Jammu and Kashmir.

(Sd.) RAKESH KUMAR GUPTA, IAS,

Principal Secretary to Government,
Department of Forest, Environment and Ecology.

EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Mon., the 11th April, 2016/22nd Chai., 1938. [No. 1-c

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 11th April, 2016.

SRO-128.—In exercise of the powers conferred by sub-section (2) of section 3 of the Jammu and Kashmir Entry Tax on Goods Act, 2000 (Act No. IV of 2000), the Government hereby exempt from payment of entry tax, leviable under the said Act, goods/items as mentioned below imported into the State by the L. B. M. Residential School for Sightless Girls, Fire Lane, Muthi Morh, Roopnagar, Jammu for free distribution

among the disabled students subject to condition that the concerned District Social Welfare Officer certifies that the goods/items so imported are actually in possession and used by these disabled children and no tax benefit percolates to the supplier :—

S. No.	Name of the item/goods	No. of items
1.	Tablets	63
2.	Cell phone for leprosy patients	04
	Total	67

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,
Commissioner/Secretary to Government,
Finance Department.

No. 1-f] The J&K Govt. Gazette, 12th April, 2016/23rd Chai., 1938. Tue.

EXTRAORDINARY

REGD. NO. JK—33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 12th April, 2016.

SRO-131.—In exercise of the powers conferred by clause (o) of sub-section (1) of section 4 of the Code of Criminal Procedure, Samvat 1989, and in partial modification of notification(s) issued on the subject, the Government hereby exclude the area of Village Gaberpura, Hawal from the jurisdiction of Police Station, Pulwama and include the same within the jurisdiction of Police Station, Rajpora of District Pulwama.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Principal Secretary to the Government,
Home Department.

No. 1-g] The J&K Govt. Gazette, 12th April, 2016/23rd Chai., 1938. Tue.

EXTRAORDINARY

REGD. NO. JK—33

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—TRANSPORT DEPARTMENT

Notification

Jammu, the 12th April, 2016.

SRO-132.—In exercise of the powers conferred by sub-rule (2) of rule 118 of Central Motor Vehicles Rules, 1989 and in partial modification of SRO-50 of 2016, the Government hereby direct that for the words and figures “1st April, 2016” appearing in sixth line of SRO-50 dated 16-02-2016, the words and figures “1st July, 2016” shall be substituted.

By order of the Government of Jammu and Kashmir.

(Sd.) RAJ KUMAR BHAGAT, IAS,

Secretary to Government,
Transport Department.

No. 1-h] The J&K Govt. Gazette, 12th April, 2016/23rd Chai., 1938. Tue.

EXTRAORDINARY

REGD. NO. JK—33

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 12th April, 2016.

SRO-133.—In exercise of the powers conferred by proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor is pleased to direct that the following amendment shall be made in the Jammu and Kashmir Civil Service Regulations, 1956, namely :—

In Article 41-G, in clause (a), the sign and word, “and” at the end of the clause shall be substituted by colon (:) and thereafter, the following proviso shall be added, namely :—

“Provided that with effect from 01-04-2016 the Temporary Move Allowance shall be allowed @ ₹ 2,000/- per month”.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,
Commissioner/Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Wed., the 20th April, 2016/31st Chai., 1938. [No. 2-a

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—INDUSTRIES AND COMMERCE
DEPARTMENT

Notification

Jammu, the 20th April, 2016.

SRO-133A.—In exercise of the powers conferred by section 15 read with section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Government of Jammu and Kashmir

hereby makes the following amendments to the Jammu and Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 :—

2. after rule 104, the following rule shall be inserted, namely :—

“104-A. Transitory provision.—As a transitory measure and in order to ensure uninterrupted supply of minor mineral to the consumers, the department may issue permission valid up to 31st of July, 2016 for extraction of minor minerals to any existing quarry holder or to any person extracting such minor minerals or for transportation of such minerals on royalty basis.”

By order of the Government of Jammu and Kashmir.

(Sd.)

Commissioner/Secretary to Government,
Industries and Commerce Department.

No. 2-b] The J&K Govt. Gazette, 20th April, 2016/31st Chai., 1938. Wed.

EXTRAORDINARY

REGD. NO. JK—33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Judical Administration Section)

Notification

Jammu, the 20th April, 2016.

SRO-134.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat 1989, the Government hereby terminate the services of Mr. Sarwesh Gupta, Additional Public Prosecutor Court of 3rd Additional District and Sessions Judge, Jammu with immediate effect.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

No. 3-e] The J&K Govt. Gazette, 27th April, 2016/7th Vai., 1938. Wed.

EXTRAORDINARY

REGD. NO. JK—33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Acquittal Section)

Notification

Jammu, the 27th April, 2016.

SRO-139.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat 1989, the Government hereby direct the Chief Prosecuting Officer, Kupwara as Special Public Prosecutor to conduct the case titled State Vs. Ali Mohammad Ganie and Others involving offence punishable under sections 302, 148, 149, 336, 323 and 427 RPC, FIR No. 94/2014, Police Station, Kupwara pending before the Court of Principal Sessions Judge, Kupwara.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

No. 3-f] The J&K Govt. Gazette, 27th April, 2016/7th Vai., 1938. Wed.

EXTRAORDINARY

REGD. NO. JK—33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS

Notification

Jammu, the 27th April, 2016.

SRO-140.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Ch. Mohd Shabir, Advocate as Special Public Prosecutor to conduct the case titled State Vs. Mohd Younis offence under sections 302/452/307 RPC, 4/25 Arms Act, Police Station, Gharota, Jammu pending disposal before the Court of Principal Sessions Judge, Jammu.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

.

No. 3-g] The J&K Govt. Gazette, 27th April, 2016/7th Vai., 1938. Wed.

EXTRAORDINARY

REGD. NO. JK—33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Judicial Administration Section)

Notification

Jammu, the 27th April, 2016.

SRO-141.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Mr. Vijay Kumar Sharma, Advocate, Jammu as 3rd Additional Public Prosecutor for a period of one year for the Court of 3rd Additional District and Sessions Judge, Jammu on the terms and conditions as laid down in Government Order No. 1907-LD(A) of 2015 dated 22-06-2015.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF MIR,

Commissioner/Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Wed., the 20th April, 2016/31st Chai., 1938. [No. 2-1

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

**JAMMU AND KASHMIR STATE ELECTRICITY
REGULATORY COMMISSION**

**Jammu and Kashmir State Electricity Regulatory Commission
(Terms and Conditions for Tariff Determination From
Renewable Energy Sources) (Second Amendment)
Regulations, 2016.**

Notification No. 50-JKSERC of 2016

Dated 20-04-2016.

In exercise of the powers conferred under section 56 read with sections 71(e) and 138 (2) of the Jammu and Kashmir Electricity Act, 2010

(XIII of 2010), and all other powers enabling it in this behalf, and after previous publication, the Jammu and Kashmir State Electricity Regulatory Commission, hereby makes the following regulations, to amend the Jammu and Kashmir State Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Renewable Energy Sources) Regulations, 2013 (hereinafter referred to as the “Principal Regulations”), namely :—

1. *Short title and commencement.*—(1) These regulations shall be called the Jammu and Kashmir State Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Renewable Energy Sources) (Second Amendment) Regulations, 2016.

(2) These regulations shall come into force with immediate effect.

2. *Amendment of Regulation 59 of Principal Regulations.*—(i) The following proviso shall be added under Clause (1) of Regulation 59 of the Principal Regulations :—

“Provided that Normative O&M expenses for the last two years of the Control Period (i. e. FY 2016-17 and FY 2017-18) shall be 1.5% of the approved capital cost for the respective year.”

(Sd.) ANIL KUMAR GUPTA, KAS,
Secretary,
J&K State Electricity Regulatory Commission,
Jammu.

EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Thu., the 28th April, 2016/8th Mai., 1938. [No. 4-1

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

JAMMU AND KASHMIR
STATE ELECTRICITY REGULATORY COMMISSION,
JAMMU

Notification No. JKSERC/51 of 2016

Dated April 28, 2016.

Pursuant to Regulation 21, 22, 23, 24, 25, 29, 30 and 31 of the JKSERC (Terms and Conditions of Intra-State Open Access) Regulations, 2015 notified under Notification No. 43-JKSERC of 2015 dated 10-07-2015, the Jammu and Kashmir State Electricity Regulatory

Commission hereby notifies the charges payable during FY 2016-17 by Open Access Customers :—

1. Transmission Charges :

Regulation No. 21(1)—

- (a) For use of Inter-State Transmission System—As specified by the Central Commission from time to time ;
- (b) For use of Intra-State Transmission System—Rs. 1210 (in Rs./MW/day).

For Open Access for a part of a day, the transmission charges shall be payable on pro rata basis.

2. Wheeling Charges :

Regulation No. 21(2)—

Wheeling Charges = 8140 (in Rs./MW/day).

For Open Access for a part of a day, the wheeling charges shall be payable on pro rata basis.

3. Scheduling and System Operation Charges :

Regulation No. 22—

- (1) *In respect of inter-State short-term open access*—
 - (i) Regional Load Despatch Centre and State Load Dispatch Centre charges as specified by the Central Commission.
- (2) *In respect of Intra-State short-term open access*—
 - (i) Rs. 2,000/- per day or part of the day.

4. Cross Subsidy Surcharge :

Regulation No. 23—

Cross subsidy surcharge shall be nil.

5. Additional Surcharge :

Regulation No. 24—

Additional surcharge shall be fixed on case to case basis keeping in view the amount of fixed/capacity cost allowed to distribution utility/licensee.

6. Standby charges for drawal of power by open access consumer from distribution licensee :

Regulation No. 25—

- (1) **In cases of outages of generator supplying to open access consumer under open access or generator connected to distribution system injecting power through open access requires start up power :** Tariff as applicable to Temporary Category of Consumer in the prevailing rate schedule.
- (2) **In case of continuous process industries :** Actual costs involved in arranging power.
- (3) **Embedded consumers :** Nil

7. Energy Loss :

Regulation No. 29—

- (1) **Transmission losses :**
 - (a) **Inter-State transmission**—As specified by Central Commission.
 - (b) **Intra-State transmission**—Transmission Losses for FY 2016-17 : 4%.
- (2) **Distribution losses :**

Distribution Losses (HV) for FY 2016-17 : 5%.

8. Imbalance Charges :

Regulation No. 30—

Imbalance charge shall be the UI/DSM rate as determined by the Central Commission.

9. Reactive Energy Charges :

Regulation No. 31—

Charges as per the provisions stipulated in the IEGC till such provision is stipulated in State Grid Code.

By order of the Commission.

(Sd.) ANIL KUMAR GUPTA, KAS,

Secretary,
J&K State Electricity Regulatory Commission,
Jammu.

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Wed., the 25th May, 2016/4th Jyai., 1938. [No. 7-2

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi—110001

25th May, 2016

Dated

4 Jyaistha, 1938 (Saka).

Notification

No. 100/J&K-LA/1/2016.—WHEREAS, the seat of **Mufti Mohammad Sayeed**, in the Legislative Assembly of the State of Jammu and Kashmir, elected from 40-Anantnag Assembly Constituency, has become vacant on 07-01-2016 by reason of his death ; and

2. WHEREAS, a bye-election is to be held for the purpose of filling the vacancy so caused.

3. NOW, THEREFORE, in pursuance of sub-section (1) of section 152, and sections 41 and 66 of the Jammu and Kashmir Representation of the People Act, 1957 (IV of 1957), the Election Commission of India hereby :—

- (A) **Calls** upon the said **40-Anantnag** Assembly Constituency in the State of Jammu and Kashmir, to elect, before the 24-06-2016 and in accordance with the provisions of the said Act and of the rules and orders made thereunder, a person for the purpose of filling the said vacancy in the Legislative Assembly of the State ;
- (B) **appoints**, with respect to the said election,—
 - (a) the 1st June, 2016 (Wednesday), as the last date for making nominations ;
 - (b) the 2nd June, 2016 (Thursday), as the date for the scrutiny of nominations ;
 - (c) the 4th June, 2016 (Saturday), as the last date for the withdrawal of candidatures ;
 - (d) the 19th June, 2016 (Sunday), as the date on which a poll shall, if necessary, be taken ; and
 - (e) the 24th June, 2016 (Friday), as the date before which the election shall be completed ; and
- (C) **fixes** the hours from **7.00 A. M. to 6.00 P. M.** as the hours during which the poll shall, if necessary, be taken on the date specified above for the election.

By order.

(Sd.) STANDHOPE YUHLUNG,

Principal Secretary,
Election Commission of India.

Published for general information.

(Sd.)

Dy. Chief Electoral Officer,
J&K, Srinagar.

EXTRAORDINARY

REGD. NO. JK-



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129]Srinagar, Tue., the 24th May, 2016/3rd Jyai., 1938. [No. 7-3

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi—110001

24th May, 2016

Dated—

3 Jyaistha, 1938 (Saka).

Notification

No. 434/J&K-LA/2016.—In pursuance of the provisions of section 32 of the Jammu and Kashmir Representation of the People Act, 1957, the Election Commission hereby makes the following amendments in its Notification No. 434/J&K-LA/2014 dated 24th September, 2014, relating to the appointment of Returning Officers for Assembly Constituencies in the State of Jammu and Kashmir, namely.

2 The J&K Govt. Gazette, 24th May, 2016/3rd Jyai., 1938. [No. 7-3

In column 2 of the Table appended to the said notification, against item No. shown below in column 1, for the existing entry, the following corresponding entry shall be substituted :—

TABLE

No. and Name of Assembly Constituency	Returning Officer
1	2
40-Anantnag	Sub-Divisional Magistrate, Douru (Anantnag).

By order.

(Sd.) STANDHOPE YUHLUNG,

Principal Secretary,
Election Commission of India.

Published for general information.

(Sd.)

Dy. Chief Electoral Officer,
J&K, Srinagar.

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Tue., the 24th May, 2016/3rd Jyai., 1938. [No. 7-4

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi—110001

24th May, 2016

Dated

3 Jyaistha, 1938 (Saka).

Notification

No. 434/J&K-LA/2016 (1).—In exercise of the power conferred by the provisions of section 33 of the Jammu and Kashmir Representation of the People Act, 1957, the Election Commission hereby makes the following amendments in its Notification No. 434/J&K-LA/2014(1) dated 17th October, 2014, relating to the appointment of Assistant Returning Officers for Assembly Constituencies in the State of Jammu and Kashmir, namely.

In column 2 of the Table appended to the said notification, against item No. shown below in column 1, for the existing entries, the following corresponding entries shall be substituted :—

TABLE

No. and Name of Assembly Constituency	Assistant Returning Officer
1	2
40-Anantnag	
	1. District Social Welfare Officer, Anantnag.
	2. Block Development Officer, Khoveripora, Anantnag.
	3. Assistant Director, Handloom, Anantnag.

By order.

(Sd.) STANDHOPE YUHLUNG,

Principal Secretary,
Election Commission of India.

Published for general information.

(Sd.)

Dy. Chief Electoral Officer,
J&K, Srinagar.

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Tue., the 24th May, 2016/3rd Jyai., 1938. [No. 7-5

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—C

Notifications, Notices and Orders by the Election Commission.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi—110001

24th May, 2016

Dated

3 Jyaistha, 1938 (Saka).

Notification

No. 434/J&K-LA/2016.—In pursuance of the provisions of sub-section (1) of section 33 of the Jammu and Kashmir Representation of the People Act, 1957 read with Rule 27 A of the Jammu and Kashmir Conduct of Election Rules, 1965 as inserted by the Jammu and Kashmir Conduct of Election (Amendment) Rules, 1966 read with section 138 of the Constitution of Jammu and Kashmir, the Election Commission hereby makes the following amendments in its Notification No. 434/J&K-LA/2014 dated 1st October, 2014 relating to

2 The J&K Govt. Gazette, 24th May, 2016/3rd Jyai., 1938. [No. 7-5

the appointment of Assistant Returning Officers for 'specified' and 'notified' class of voters, for bye-election from 40-Anantnag Assembly Constituency in the State of Jammu and Kashmir, namely.

In column 3 of the Table appended to the said notification, against item No. shown below in column No. 1 & 2 for the existing entries, the following corresponding entries shall be substituted :—

TABLE

Name of District	No. and Name of Assembly Constituency	Assistant Returning Officers for 'notified' class of voters
Anantnag	40-Anantnag	Assistant Commissioner (Revenue), Jammu.
		Collector, Northern Railway, Udhampur.
		Deputy Director, Horticulture, Planning and Marketing, Delhi.

By order.

(Sd.) STANDHOPE YUHLUNG,

Principal Secretary,
Election Commission of India.

Published for general information.

(Sd.)

Dy. Chief Electoral Officer,
J&K, Srinagar.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Srinagar, Wed., the 18th May, 2016/28th Vai., 1938. [No.6-7

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

**JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, SRINAGAR**

Notification

Pursuant to Rule 317 of the Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Assembly, I, Kavinder Gupta, Speaker, Jammu and Kashmir Legislative Assembly hereby nominate the following to serve as Members of Business Advisory Committee of which I shall be the Chairman :—

1. Dr. Nirmal Singh,
Hon'ble Deputy Chief Minister
2. Mr. Abdul Rehman Veeri,
Hon'ble Minister for Public Works and Parliamentary Affairs
3. Mian Altaf Ahmed, MLA
4. Hakeem Mohammad Yaseen, MLA

5. Mr. Vikar Rasool Wani, MLA
6. Mr. M. Y. Tarigami, MLA
7. Mr. Mohammad Yousuf Bhat, MLA
8. Mr. Rajesh Gupta, MLA

Special Invitees :

1. Mr. Rajiv Jasrotia, MLA
2. Mr. Bashir Ahmed Dar, MLA

KAVINDER GUPTA,
Speaker.

(Sd.) ABDUL QAYOOM MIR,
Under Secretary.

EXTRAORDINARY

REGD. NO. JK—33



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 129] Srinagar, Mon., the 23rd May, 2016/2nd Jyai., 1938. [No. 7-1

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, SRINAGAR

Under Rule 64 of the Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Assembly, the following Bill together with the Statement of Objects and Reasons, is published in an extraordinary issue of the Government Gazette.

By order of the Hon'ble Speaker.

(Sd.) **M. RAMZAN**,

Secretary.

THE KASHMIR AND JAMMU CLUSTER UNIVERSITIES
BILL, 2016

[Bill No. 1 of 2016.]

A Bill to provide for the establishment of the Cluster University of the Kashmir and the Cluster University of Jammu and for matters connected therewith or incidental thereto.

Be it enacted by the Jammu and Kashmir State Legislature in the Sixty-seventh Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Kashmir and Jammu Cluster Universities Act, 2016.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires,—

(a) “Academic Council” means the Academic Council of the Cluster University ;

(b) “Act” means the Kashmir and Jammu Cluster Universities Act, 2016.

(c) “Affiliated College” means an institution imparting instruction for the Bachelor’s Degree, Integrated Honours and Postgraduate courses recognised by the Cluster University concerned in accordance with the provisions of this Act and the Statutes ;

(d) “Autonomous College” means an institution imparting instruction for the Bachelor’s Degree, Integrated Honours and Postgraduate courses with an autonomous status recognised by the Cluster University concerned in

accordance with the provisions of this Act and the Statutes ;

- (e) "College" means an institution maintained or admitted to its privileges by the Cluster University concerned and includes a Constituent/Autonomous/Affiliated College ;
- (f) "Cluster University" means the Cluster University of Kashmir or the Cluster University of Jammu, as the case may be, created by pooling the resources of their existing Constituent Colleges ;
- (g) "Constituent College" means the colleges constituting the Cluster University and recognised as such by the Syndicate of the Cluster University concerned in accordance with the provisions of this Act and the Statutes ;
- (h) "Faculties", "Boards of Studies", "Board of Inspection" and "Boards of Research Studies" means the Faculties, Boards of Studies, Board of Inspection and Boards of Research Studies of a Cluster University ;
- (i) "Head of the Department" means the Head of a Cluster University Teaching Department who has the status of a Professor or an Associate Professor in the Cluster University and where any Cluster University has no teaching Faculty in a subject, the person duly appointed, for the time being, by the University ;
- (j) "Principal" means the Head of a College or a person duly appointed, for the time being ;
- (k) "Regulations" means Regulations made under section 41 of this Act ;
- (l) "Statutes" means Statutes made under section 38 of this Act ;

- (m) “Syndicate” means the Syndicate of a Cluster University ;
- (n) “Teachers” include Professors, Associate Professors, Assistant Professors, and any other persons imparting instructions in the University or in any College maintained or admitted to its privileges by the Cluster University ;
- (o) “Teachers of the University” means persons appointed or recognized by the University for the purpose of imparting instruction, in the University or in any Constituent College ;
- (p) “University Council” means the University Council of a Cluster University.

3. *Incorporation.*—The Cluster University of Kashmir and the Cluster University of Jammu shall be corporate bodies known by the names of the “Cluster University of Kashmir” and the “Cluster University of Jammu”, each having perpetual succession and a common seal with power to acquire and hold property, movable and immovable, to transfer the same, to contract and to do all other things necessary for the purpose of its constitution and may sue or be sued by its corporate name as aforesaid.

4. *Objects of the University.*—The objects of the University shall be—

- (a) to become a cluster of vibrant institutions to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit ;
- (b) to act as a change agent by having special focus on the skill development and creation of skilled workforce by undertaking industry oriented teaching, training and

research, extension programmes and providing employable skills with a view to contribute to the development of the society ;

- (c) to make provisions for integrated courses in humanities, social science, science and technology in its education programme ;
- (d) to take appropriate measure for promoting innovations in teaching-learning process and inter disciplinary studies and research ;
- (e) to establish linkages with industry for promotion of science, technology, entrepreneurial skills, innovation, etc. to and adopt innovative methods to achieve the status of a self-reliant institution ; and
- (f) to pay special attention to the improvement of the social and economic conditions and welfare of people and their intellectual, academic and cultural development.

5. *Powers and functions of Cluster University.*—A Cluster University shall have the following powers and functions, namely :—

- (1) to provide for instruction in such branches of learning as the Cluster University may deem fit and to make provision for research and for the advancement and dissemination of knowledge ;
- (2) to hold examinations, to grant degrees to and to confer other academic distinctions on persons who—
 - (a) have pursued an approved course of study in a College of a Cluster University or in any educational institution approved for the purpose, or distant

learners under conditions laid down in the Statutes and Regulations ; or

- (b) have carried on independent research under conditions laid down in the Statutes.
- (3) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes ;
- (4) to grant such diplomas to and to provide such lectures and instructions for persons not being on the rolls of the Cluster University, as the Cluster University may determine ;
- (5) to co-operate with other Universities and authorities in such a manner and for such purposes as the Cluster University may determine ;
- (6) to institute Professorships, Associate Professorships, Assistant Professorships and any other teaching posts required by the Cluster University ;
- (7) to establish and maintain colleges, to recognise colleges and other institutions not maintained by the Cluster University and to withdraw such recognition ;
- (8) to inspect constituent, autonomous and affiliated colleges and other institutions and places approved by the Cluster University for the residence of students ;
- (9) to demand and receive payments of such fees and other charges as may be authorised by the Statutes and Regulations so as to achieve the status of a completely self-sustaining corporate body ;
- (10) to obtain loans in furtherance of the objects of the Cluster University ;

- (11) to supervise and control the residence and discipline of students of the Cluster University or of Colleges and other institutions admitted or affiliated to it and to make arrangements for promoting their health and general welfare ;
- (12) to institute and award fellowships, exhibitions, prizes and medals in accordance with the Statutes and Regulations ; and
- (13) to endeavour for creation of resources and put the available resources including human and infrastructural assets to optimal utilization so as to become a self-sustaining organisation ; and
- (14) to do such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the Cluster University as a teaching, affiliating or examining body, and to cultivate and promote arts, science and other branches of learning.

6. *Approval of the Government.*—Notwithstanding anything contained in the foregoing section, any reorganisation or alteration in structure, pattern or medium of education at the Cluster University level shall require the previous approval of the Government.

7. *Cluster University open to all classes and creeds.*—Each Cluster University shall be open to all persons irrespective of sex, caste, class or creed and it shall not be lawful for a Cluster University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to a certificate, diploma or degree of the Cluster University, or to serve as a teacher or to hold any office in the Cluster University, or to enjoy or exercise any privileges thereof, except where such test is specially prescribed by the Statutes, or, in respect of any particular benefaction accepted by the Cluster University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

8. *Affiliation restricted to educational institutions in the State.*—Notwithstanding contained anything in any law for the time being in force, no educational institution outside the territory of the State shall be affiliated with, or be admitted to any privileges of, a Cluster University under this Act.

9. *Officers of the Cluster University.*—The following shall be the officers of a Cluster University :—

- (1) the Chancellor ;
- (2) the Pro-Chancellor ;
- (3) the Vice-Chancellor ;
- (4) the Financial Advisor ;
- (5) the Educational Advisor ;
- (6) the Registrar ;
- (7) the Controller of Examinations ; and
- (8) such officers as the Statutes may declare to be the officers of a Cluster University.

10. *The Chancellor.*—(1) The Chief Minister of the State shall be the Chancellor of the Cluster Universities. He shall be the Head of the Cluster Universities and shall, when present, preside at the meetings of the Cluster University Council and at the Convocations of the Cluster Universities.

(2) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes.

(3) Every proposal for the conferment of any honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor may delegate to the Pro-Chancellor such of his powers under this Act or the Statutes, as he may specify.

11. *The Pro-Chancellor.*—(1) The Minister Incharge for Higher Education of the State shall be the *ex-officio* Pro-Chancellor of the Cluster Universities.

(2) The Pro-Chancellor shall, when present, in the absence of the Chancellor, preside at the meetings of the University Council and at the Convocations of both the Cluster Universities.

(3) The Pro-Chancellor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of a Cluster University, its buildings, laboratories, equipment, and of any institutions associated with the Cluster University and also of the examinations, teaching and other work conducted or done by the Cluster University and to cause an inquiry to be made in like manner in respect of any matter connected with the Cluster University. The Pro-Chancellor shall in every case give notice to a Cluster University of his intention to cause an inspection or inquiry to be made and the Cluster University concerned shall be entitled to be represented there at.

(4) The Pro-Chancellor may address the Vice-Chancellor of the University concerned with reference to the result of such inspection and inquiry and the Vice-Chancellor shall place the same before the Syndicate and also the Cluster University Council of the University concerned, if necessary, with such advice as the Pro-Chancellor may offer upon the action to be taken thereon.

(5) The Vice-Chancellor of the Cluster University concerned shall then, within such time as the Pro-Chancellor may fix, submit to him a report of the action taken or proposed to be taken by the Syndicate together with the view which the University Council concerned may have expressed on the report.

(6) If the Syndicate concerned does not, within a reasonable time, take action to the satisfaction of the Pro-Chancellor, the Pro-Chancellor may, after considering any explanation which the Syndicate concerned may furnish, issue such directions in consultation with the Vice-Chancellor concerned as he may think fit.

12. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall either be a whole-time paid or a part-time honorary officer of a Cluster University as the Chancellor may determine and shall be appointed by the Chancellor in consultation with the Pro-Chancellor from amongst the persons whose names are submitted to him by a Committee constituted in accordance with the provisions of sub-section (2).

(2) The Committee referred to in sub-section (1) shall consist of three persons, namely :—

(a) two persons not connected with the Cluster University or any College of that Cluster University to be nominated by the University Council ;

(b) a third person not connected with the Cluster University or any College of that Cluster University to be nominated by the Chancellor, who shall also be the Chairman of the Committee.

(3) The Committee constituted under sub-section (2) shall submit a panel of three names to the Chancellor for appointment of the Vice-Chancellor.

(4) If the Chancellor does not consider any of the persons on the panel recommended by the committee suitable for appointment as Vice-Chancellor, he may direct the committee to prepare a fresh panel of three names for submission to him or may direct to constitute a fresh committee for this purpose.

(5) The Vice-Chancellor of a Cluster University shall hold office for five years :

Provided that on the expiry of the term of his office, the Vice-Chancellor shall be eligible for re-appointment for such term as the Chancellor may in consultation with the Pro-Chancellor determine :

Provided further that the Vice-Chancellor shall not be removed from his office except by order of the Chancellor passed in consultation with the Pro-Chancellor, on the ground of misbehavior or incapacity or if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the Cluster University, after due enquiry by such person who is or has been a Judge of a High Court to be nominated by the Chancellor, in consultation with the Pro-Chancellor, in which the Vice-Chancellor shall have an opportunity of making his representation against such removal.

(6) The Vice-Chancellor of a Cluster University shall, in case he is a whole-time paid officer, receive salary not exceeding the limit prescribed by the University Council and other facilities as the Chancellor may determine, in addition to free residential accommodation ; provided that in exceptional cases the Chancellor may allow a higher salary in consultation with the Government. In case the Vice-Chancellor is appointed on part-time honorary basis, he shall receive such honorarium and other facilities as the Chancellor may determine in consultation with the Government.

(7) Where any temporary vacancy of a Vice-Chancellor occurs by reason of resignation, illness, leave or other cause, the University Council shall report the same to the Chancellor who shall make such arrangement for carrying on the duties of the Vice-Chancellor as he may think fit.

(8) Notwithstanding anything contained in sub-section (5), the Vice-Chancellor shall continue in office beyond the expiry of his term until his successor is appointed and enters upon his office.

13. *Powers and duties of the Vice-Chancellor.*—(1) The Vice-Chancellor shall be the Principal Executive and Academic Officer of a Cluster University and shall, in the absence of the Chancellor and the Pro-Chancellor, preside over the meetings of the University Council and at any convocation of the Cluster University. He shall be an *ex-officio* member and Chairman of the Syndicate, Academic Council and such other authorities and bodies as are provided under the provisions of this Act, and shall be entitled to be present and to speak at any meeting of any authority or body of the Cluster University concerned but shall not be entitled to vote there at unless he is a member of the authority or the body concerned.

(2) It shall be the duty of the Vice-Chancellor to see that the provisions of this Act, the Statutes and the Regulations are faithfully observed and he shall have all powers necessary for the purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the University Council, the Syndicate, the Academic Council and joint meetings of Faculties and Boards of Studies of the Cluster University concerned.

(4) The Vice-Chancellor may take action as he deems necessary in any emergency which, in his opinion, calls for immediate action. He shall in such a case and as soon as or may be thereafter, report his action to the officer, authority or other body of the Cluster University concerned who or which would ordinarily have dealt with the matter.

(5) Save as otherwise provided in this Act, the Vice-Chancellor of a Cluster University shall have the powers to make appointments of the ministerial, technical and inferior staff.

(6) The Vice-Chancellor shall give effect to the orders of the University Council and the Syndicate of the Cluster University concerned regarding the appointment, dismissal and suspension of persons in the employment of the Cluster University and shall exercise general control over the affairs of the Cluster University. He shall be responsible for the discipline of the Cluster University in accordance with this Act, Statutes and Regulations.

(7) The Vice-Chancellor shall exercise such other powers as may be prescribed by Statutes and Regulations.

(8) The Vice-Chancellor may delegate any of his powers under this Act or the Statutes and Regulations made thereunder to any other officer or body of the Cluster University concerned.

14. *Financial Advisor*.—(1) The Administrative Secretary to Government, Finance Department, or any other officer nominated by the Government of Jammu and Kashmir shall be the *ex-officio* Financial Advisor to the Cluster Universities.

(2) The Financial Advisor shall exercise general supervision over the funds of the Cluster University and shall advise it as regards its financial policy.

(3) The Financial Advisor shall be an *ex-officio* member of the University Council and the Syndicate of the Cluster Universities.

(4) The Financial Advisor shall—

- (a) present annual estimates and the statement of accounts to the Syndicate and the University Council ; and
- (b) exercise such other powers and perform such other duties as may be prescribed by the Statutes and Regulations.

15. *Registrar*.—(1) The Registrar of a Cluster University shall be a whole-time officer and shall be appointed by the University

Council on the recommendation of the Selection Committee, constituted under section 34 of this Act. The terms and conditions of service and the emoluments of the Registrar shall be such as prescribed by the University Council.

(2) The Registrar of a Cluster University shall act as the Secretary of the University Council and the Boards of Research Studies and other bodies of the Cluster University.

(3) The Registrar of a Cluster University shall, subject to the sanction of the Vice-Chancellor and subject to the Regulations that may be framed in this behalf, control the ministerial technical and inferior staff of the Cluster University concerned.

(4) The Registrar of a Cluster University shall be the custodian of the records, the common seal and such other property of the Cluster University concerned as the University Council or Syndicate may commit to his charge.

(5) The Registrar of a Cluster University shall have power to realise and receive all moneys due to the Cluster University and sign and grant receipts for the same, to make all disbursements on account of the Cluster University concerned and, subject to provisions of Statutes, sign such cheques or other instruments as may be necessary for the purpose.

(6) The Registrar of a Cluster University shall issue under his signatures notice convening meetings of the University Council, the Syndicate and the Boards of Research Studies of the Cluster University concerned.

(7) The Registrar shall, in the execution of his duties, be subject to the immediate direction and control of the Vice-Chancellor and shall render such assistance to the Vice-Chancellor as may be required by him in the performance of his official duties.

(8) The Registrar of a Cluster University shall exercise such other powers and perform such other duties as may be prescribed by the Statutes and the Regulations or as may be assigned to him by any authority of the Cluster University concerned.

(9) The Registrar may, with the previous approval of the Vice-Chancellor, delegate any of his powers prescribed under the provisions of this Act or the Statutes or the Regulations made there under to any other officer of the Cluster University.

16. *Controller of Examinations.*—(1) The Controller of Examinations of a Cluster University shall be a whole-time officer of the Cluster University concerned and shall be appointed by the University Council on the recommendation of the Selection Committee constituted in accordance with the provisions of section 34 of this Act on such terms and conditions as the University Council may from time to time prescribe.

(2) It shall be the duty of the Controller of Examinations of a Cluster University to make arrangements connected with the setting and printing of question papers for all the examinations held by the Cluster University concerned including their safe custody and all other matters connected therewith.

(3) Subject to directions of the Syndicate, the Controller of Examinations of a Cluster University shall make all arrangements for the conduct of examinations of the Cluster University concerned.

(4) Subject to directions of the Syndicate, the Controller of Examinations of a Cluster University shall arrange all items of the examination work such as dispatch and transit of answer books and question papers, evaluation of answer scripts, tabulation of results, complaints against question papers set for the examinations, use of unfairmeans, publication and re-checking/re-evaluation of results and other related matters.

(5) The Controller of Examinations of a Cluster University shall exercise such other powers and perform such other duties as may be prescribed under the Statutes and Regulations from time to time.

(6) The Controller of Examinations of a Cluster University shall, in the execution of his duties, be subject to the immediate direction and control of the Vice-Chancellor of the Cluster University concerned and shall render such assistance to the Vice-Chancellor as may be required by him in the performance of his official duties.

17. *Other Officers*.—Save as otherwise expressly provided in this Act, the procedure for appointment and the powers of the officers of the Cluster University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Financial Advisor, the Educational Advisor, the Registrar and the Controller of Examinations shall be prescribed by the Statutes.

18. *Authorities*.—The following shall be the authorities of a Cluster University :—

- (1) the University Council ;
- (2) the Syndicate ;
- (3) the Academic Council ;
- (4) the Faculties ;
- (5) the Boards of Studies ;
- (6) the Boards of Research Studies ;
- (7) the Board of Inspection ; and
- (8) such other authorities as may be declared by the Statutes to be the authorities of the Cluster University.

19. *University Council*.—(1) There shall be a University Council in a Cluster University consisting of the following members, namely :—

- (i) the Chancellor ;
- (ii) the Pro-Chancellor ;
- (iii) the Vice-Chancellor of the Cluster University concerned ;
- (iv) the Vice-Chancellor of the other Cluster University established under the provisions of this Act ;
- (v) the Financial Advisor ;
- (vi) the Educational Advisor, Administrative Secretary to the Government, Higher Education Department, J&K Government or the officer designated by the Government to be incharge of Higher Education ;
- (vii) Principals of all the Constituent Colleges of the Cluster University concerned ;
- (viii) two Deans of Faculties of the Cluster University concerned nominated by the Chancellor by rotation ;
- (ix) two Principals of the autonomous/affiliated colleges to be nominated by the Chancellor in consultation with Pro-Chancellor ; and
- (x) two nominees of the Chancellor.

(2) The period for which members nominated under (viii) to (x) of sub-section (1) shall hold office, would be as prescribed in the Statutes in this behalf.

(3) The meetings of the University Council of a Cluster University shall be presided over by the Chancellor, when present. In his absence, the Pro-Chancellor shall preside and in the absence of both the Chancellor and the Pro-Chancellor, the Vice-Chancellor of the Cluster University concerned shall preside.

20. *Powers and functions of the University Council.*—The University Council of a Cluster University shall be the supreme authority of the Cluster University and shall have the following powers, namely :—

- (a) to make Statutes under this Act and to amend and repeal the same in consultation with the Syndicate ;
- (b) to make Regulations in consultation with the Syndicate ;
- (c) to approve the financial estimates framed by the Syndicate of the Cluster University ;
- (d) to approve plans of development and expansion of the Cluster University ;
- (e) to consider and pass resolutions on the annual reports ;
- (f) save as otherwise provided in this Act, to appoint officers of the status of Joint Registrar, Deputy Librarian and above and teachers of the status of Associate Professors and above and to define their duties :

Provided that no officer or teacher shall be appointed by a University Council until provision has been made for his salary in the approved budget of the Cluster University concerned :

Provided further that all appointments (permanent or temporary) to the posts of officers or teachers referred

to in this section shall be made by the Cluster University Council on the recommendation of the Selection Committee constituted for the purpose in accordance with the provisions of section 34 of this Act, and on such terms and conditions as may be prescribed by the Statutes :

Provided also that the Vice-Chancellor may make appointments of teachers referred to in this section as a temporary measure for a period not exceeding six months to carry on the work and if the recommendations of the Selection Committee are not received within a period of six months, the Vice-Chancellor may extend the appointment, if any, made by him, for the duration of the academic session with the approval of the University Council ;

- (g) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes ;
- (h) to constitute committees for specific purposes and to assign such duties to them as it deems fit ;
- (i) to delegate such of its powers to any officer or authority of the Cluster University as it may deem fit ; provided that such delegation is made by a majority of not less than two-thirds of the members of the University Council ; and
- (j) to exercise such other powers of the Cluster University as are not otherwise provided for in this Act and the Statutes and Regulations made thereunder.

21. *Syndicate*.—(1) The Syndicate shall be the Chief Executive Authority except in respect of the matters falling within the purview of the University Council concerned in accordance with the

provisions of this Act and it shall consist of the following members, namely :—

- (i) the Vice-Chancellor ;
- (ii) the Financial Advisor ;
- (iii) the Educational Advisor ;
- (iv) Principals of all the constituent colleges of the Cluster University ;
- (v) two Deans of the Faculties of the Cluster University by rotation to be nominated by the Vice-Chancellor ;
- (vi) two Deans of Faculties of the other Cluster University by rotation to be nominated by the Chancellor ;
- (vii) one member of the Academic Council of the Cluster University, concerned nominated by the Council from amongst its members ;
- (viii) two members of the Syndicate of the other Cluster University nominated by that body ; and
- (ix) three nominees of the Chancellor.

(2) The terms and conditions of the office of members of a Syndicate other than *ex-officio* members shall be such as may be prescribed by the Statutes in this behalf.

22. Powers and functions of the Syndicate.—(1) Subject to the provisions of this Act, the Statutes and the Regulations, the Syndicate of a Cluster University shall exercise and perform the following powers and functions :—

- (a) to frame the budget estimates of the Cluster University and to submit these to the University Council at a time to be prescribed by Statutes ;

- (b) to recommend the draft Statutes and Regulations or amendments or revocation thereof and other proposals for consideration by the University Council ;
- (c) to hold control, and administer the funds, property and other assets of the Cluster University :

Provided that no expenditure shall be incurred which has not been included in the approved estimates except with the sanction of the University Council :

Provided further that the Syndicate shall have powers of re-appropriation in accordance with the Regulations to be prescribed in this behalf ;

- (d) save as otherwise provided in this Act, to appoint officers (below the status of Joint Registrar and Deputy Librarian) and teachers (below the status of a Associate Professor) and to define their duties :

Provided that no officer or teacher shall be appointed by a Syndicate until provision has been made for his salary in the approved budget of the Cluster University concerned :

Provided further that all appointments (permanent or temporary) to the posts of officers or teachers referred to in this section shall be made by the Syndicate on the recommendations of the Selection Committee constituted for the purpose in accordance with the provisions of section 34 of this Act and on such terms and conditions as may be prescribed by the Statutes :

Provided also that the Vice-Chancellor may make appointments of teachers referred to in this section as a temporary measure for a period not exceeding six months

to carry on the work and if the recommendations of the Selection Committee are not received within a period of six months, the Vice-Chancellor of the Cluster University may extend the appointments, if any, made by him, for the duration of the academic session with the approval of the Syndicate ;

- (e) to admit new colleges to the privileges of affiliated or constituent colleges of the Cluster University subject to the conditions to be laid down in the Statutes ;
- (f) to arrange for and direct the periodical and special inspection of the colleges and other institutions ;
- (g) to award scholarships, prizes, fellowships, exhibitions, bursaries and other such awards in accordance with the procedure prescribed in this behalf ;
- (h) to control and manage the Libraries of the Cluster University concerned ;
- (i) to provide buildings, premises, furniture, apparatus, equipment and other means and facilities needed for carrying on the work of the Cluster University concerned ;
- (j) to invest any moneys belonging to the Cluster University concerned including any unapplied income in any of the approved securities, or to place in fixed deposit in any bank, approved by the Government in this behalf, any portion of such moneys not required immediately for expenditure ;
- (k) to demand and receive such fees as may from time to time be prescribed by Statutes and Regulations ;

- (l) to constitute committees for specific purposes and to assign such duties to them as may be deemed necessary ;
- (m) to recommend to the University Council the plans for development and expansion of the Cluster University ;
- (n) to appoint paper setters and examiners for all the examinations held by the Cluster University in accordance with the procedure prescribed in the Statutes ;
- (o) to give directions for holding of examinations compilation and publication of results ;
- (p) to give directions for the editing, printing and publishing of such text-books for various examinations of the Cluster University as may be considered necessary for this purpose ;
- (q) to maintain proper standards of teaching and examination in consultation with the Academic Council of the Cluster University concerned ;
- (r) to enter into, vary, carry out and cancel contracts on behalf of the Cluster University ;
- (s) to direct the form, custody and use of the common seal of the Cluster University ;
- (t) to accept or transfer any movable or immovable property on behalf of the Cluster University concerned ;
- (u) to exercise such other powers and perform such other duties as may be conferred upon or assigned to it by this Act or the Statutes ; and
- (v) to delegate, whenever necessary, appropriate financial and administrative powers to the Vice-Chancellor, the Registrar,

the Principals of Constituent Colleges, the Heads of the Postgraduate Departments, the Controller of Examinations or any other officer of the Cluster University concerned.

(2) Any difference or disagreement arising between the Syndicate and the Vice-Chancellor with regard to any decision taken by the Syndicate may be referred by the Vice-Chancellor to the Chancellor. The Chancellor shall refer back such decision to the Syndicate for re-consideration. In case the Syndicate endorses its earlier decision by a two-thirds majority, such decision shall be deemed to be final.

23. *Academic Council*.—The Academic Council of a Cluster University shall consist of the following persons, all of whom shall be *ex-officio* members :—

- (i) The Vice-Chancellor of the Cluster University concerned ;
- (ii) Principals of the Constituent Colleges or Autonomous Colleges or Affiliated Colleges of the Cluster University concerned nominated by the Vice-Chancellor ;
- (iii) The Deans of Faculties of the Cluster University concerned ;
- (iv) The Heads of Departments of the Cluster University concerned having the status of Professors or Associate Professors ;
- (v) Four Professors/Associate Professors from constituent/autonomous/affiliated colleges of the Cluster University concerned representing subjects other than those represented by the Principals, nominated by the Vice-Chancellor ;
- (vi) Deans of the Faculties of the other Cluster University established under the provision of this Act ; and

(vii) Two Professors of the other Cluster University established under the provisions of this Act.

24. *Powers and functions of the Academic Council.*—(1) The Academic Council of a Cluster University shall have the following powers and functions :—

- (a) to control and regulate the standards of teaching and examinations in the Cluster University ;
- (b) to prescribe the syllabi and the courses of study for all the examinations held by the Cluster University ;
- (c) to make proposals to the Syndicate and the University Council for the institution of Professorships, Associate Professorships, Assistant Professorships or other teaching posts and re-appropriating positions in various subjects (on sufficient justifications) in regard to their duties ;
- (d) to formulate, modify or revise, subject to control of the Syndicate and the University Council, schemes for the Constitution of Faculties and for the assignment of subjects to the Faculties ;
- (e) to nominate teachers or specialists to the Faculties ;
- (f) to promote research within the Cluster University and to acquire reports of such research from persons engaged therein ;
- (g) to advise the Syndicate and the University Council on academic matters ; and
- (h) to make proposals to the higher authorities of the Cluster University for supplementing the teaching provided in the Constituent, Autonomous and Affiliated Colleges.

(2) The Academic Council of a Cluster University shall have the powers to appoint a Standing Committee of the members of the Academic Council of which not less than two-thirds shall be Cluster University Professors, Associate Professors, Principals, or teachers of Constituent Autonomous and Affiliated Colleges not lower in rank than that of a Professor or Associate Professor and to delegate to it such of its powers as it may deem fit. The Standing Committee shall have power to invite experts, whenever necessary, for advice on a particular matter under consideration.

25. *Faculties.*—(1) The Cluster Universities of Kashmir and Jammu shall have the Faculties one each for Arts, Science, Social Sciences, Commerce, Education and such other Faculties as may be prescribed by the Statutes of the Cluster University from time to time.

(2) Each of the Faculties of Arts, Science, Social Sciences, Commerce and Education shall consist of—

- (i) The Professors and Associate Professors of the Cluster University Schools comprising the Faculty ;
- (ii) Professors or Associate Professors, in case there are no Professors in the concerned subject, representing the Constituent, Autonomous and Affiliated Colleges of the Cluster University in each subject comprising each Faculty ;
- (iii) two persons other than teachers nominated to the Faculty by the Academic Council possessing expert knowledge of the subject, comprising the Faculty.

26. *Powers of each Faculty.*—Each Board shall have the following powers and functions, namely :—

- (a) subject to the control of the Academic Council to organize the teaching work of the Cluster University in the subjects assigned to the Faculty ;

- (b) to suggest to the Academic Council the syllabi and courses of studies for different examinations after consulting the Boards of Studies ;
- (c) to recommend to the Academic Council the conditions for the award of degrees, diplomas and other distinctions ;
- (d) to deal with any matter referred to it by the University Council or the Syndicate or the Academic Council ;
- (e) to discharge such other functions as may be prescribed by the Statutes and Regulations ;
- (f) to transact such other business as may be approved by the Deans of the Faculties.

27. *The Deans.*—(1) There shall be a Dean of each Faculty who shall be nominated by the Vice-Chancellor by rotation according to seniority in the manner and subject to such conditions as may be prescribed by the Statutes :

Provided that the office of the Dean of a Faculty shall be held by a member of the Faculty who is a Cluster University Professor in a subject comprised in the Faculty and in case there is no Cluster University Professor in any subject comprised in a Faculty, it may be held by a member of the Faculty who is the Principal or senior most Professor/Associate Professor in a College in the same Faculty :

Provided further that no person shall hold the office of the Dean for more than two consecutive terms except where there is no other person eligible to hold the office.

(2) The Dean of Faculty shall be responsible for the due observance of the Statutes and Regulations relating to his Faculty.

(3) Each Faculty shall comprise such subjects of study as may be prescribed by the Regulations.

28. *Boards of Studies.*—(1) In a Cluster University there shall be a Board of Studies for a subject or subjects comprised in a Faculty in accordance with the provisions of the Regulations.

(2) Each Board of Studies shall consist of the following members, namely :—

- (a) the Professors of the Cluster University Department in the subject assigned to the Board, if there are any ;
- (b) the Associate Professors of the Cluster University Department in the subject assigned to the Board, if there are any ;
- (c) the senior most Professor or Associate Professor, in case there is no Professor, from the department in the subject concerned from each constituent College ;
- (d) the senior most Professor or Associate Professor, in case there is no Professor, from the department in the subject concerned from each Autonomous/Affiliated College, not lower in rank than that of a Professor or Associate Professor ;
- (e) one person who is not a teacher in any affiliated or constituent college of the Cluster University or a department of the Cluster University, nominated by the Faculty :

Provided further that where it is found that the Board of Studies in any subject is not adequately represented, the Vice-Chancellor of the Cluster University concerned may authorize co-option of teachers in the subject from colleges or the Cluster University Departments to the extent of three members.

(3) Head of the Cluster University Department senior to all other Professors in the department shall be the Convener and in case there is no Professor of the Cluster University Department in a subject the Board of Studies shall elect one of its members as the Convener of the Board.

(4) The terms and conditions of the office of the members of a Board of Studies shall be such as may be prescribed by the Statutes in this behalf.

(5) Where a Board of Studies comprises more than one subject, the Vice-Chancellor may constitute the Board on similar lines so as to ensure that each subject comprised in the Board is adequately represented on it ; provided that the total number of members of the Board so constituted does not exceed ten.

(6) Notwithstanding anything contained in this section or any Statute or Regulation made thereunder, each Cluster University may have a Board of Postgraduate Studies for each subject in which Postgraduate instructions are imparted, and a Board of Undergraduate Studies for the subject or subjects in which Undergraduate instructions are imparted. The composition of these Boards shall be such as may be determined by the Chancellor in consultation with the Vice-Chancellor of the Cluster University concerned.

29. *Functions and powers of the Board of Studies.*—(1) It shall be the duty of Board of Studies to make suggestions to the Faculty concerned regarding—

- (a) Syllabi for the subject or subjects of instruction ;
- (b) Combination of subjects permitted in various courses ;
- (c) Identification of new courses of study
- (d) Appointment of paper-setters and examiners ; and

(e) Any matter referred to it by the University Council, the Syndicate, the Academic Council or the Faculty concerned.

(2) The Boards of Studies shall also discharge such other functions as may be prescribed by the Statutes or the Regulations.

30. *Board of Research Studies.*—(1) There shall be Boards of Research Studies, one each for Humanities, Science, Social Science and such other fields of study as may be specified by the Syndicate concerned after having consulted the Academic Council of the Cluster University concerned. Each Board shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, the Registrar, the Dean and the Heads of the Cluster University Departments of the subjects comprised in the Faculty with power to co-opt members :

Provided that an expert in the subjects concerned may be invited to advise on a particular matter relating to each subject. The co-opted members shall hold office for a period of three years. The Vice-Chancellor shall be *ex-officio* Chairman of each Board and in his absence, the Pro-Vice-Chancellor shall act as Chairman and the Registrar shall be the Members-Secretary of the Board.

(2) Each Board shall organize research studies under the guidance of the Academic Council and in accordance with the Statutes and Regulations prescribed in this behalf.

31. *Powers and functions of the Board of Research Studies.*—Each Board shall have the following powers and functions, namely :—

- (a) to consider and grant applications for registration for the research degrees in the light of the recommendations made by the Head of the Postgraduate Department concerned ;
- (b) to appoint supervisors for the guidance of research studies ;

- (c) to prescribe to maximum number of research scholars to be guided by an approved supervisor ;
- (d) to submit to the Academic Council suggestions and proposals for organizing or improvement of the research studies in the Cluster University ; and
- (e) to consider any other matter referred to it by the Academic Council, the Syndicate and the University Council.

32. *Board of Inspection*.—There shall be a Board of Inspection in a Cluster University consisting of the following members, namely :—

- (a) a designated officer of the Cluster University to be named as Dean, College Development Council ;
- (b) Principals of the constituent colleges of the Cluster University ;
- (c) two Deans of Faculties of the Cluster University concerned by rotation, nominated by the Vice-Chancellor.

(2) The terms and conditions of the office of the members of the Board of Inspection shall be such as may be prescribed by the Statutes in this behalf.

33. *Functions of the Board of Inspection*.—(1) Subject to the provisions of this Act and the Statutes and Regulations made thereunder, the Board of Inspection shall perform the following functions :—

- (a) receive all applications for recognition or affiliation of colleges and other teaching institutions including all applications for recognition in new courses or subjects referred to it by the Syndicate and cause an inspection to

be made and lay its report before the Syndicate for decision ;

(b) appoint inspectors for the inspection of a College once at least within a period of three years after the grant of the privileges of an affiliated or Constituent College or after the inspection last held, consider the report of the inspectors and forward it to the Syndicate with its recommendations.

(2) The inspection of colleges and other teaching institutions applying for affiliation or recognition shall be conducted by a committee to be appointed by the Board of Inspection. In the case of a College applying for recognition in new courses or subjects the Committee of Inspection shall consist of the following members :—

- (a) One member of the Board of Inspection nominated by the Vice-Chancellor ;
- (b) The Heads of the Cluster University Departments concerned, if there are any in the subjects ; and
- (c) The Dean of the Faculty concerned.

34. *Selection Committees.*—(1) Save as otherwise provided in this Act, there shall be Selection Committees in a Cluster University comprising the following members for selection of teachers and officers for appointment/recognition in the Cluster University concerned :—

(A) Committees for appointment of teachers :

(a) **For Associate Professors and Assistant Professors or equivalent post.**—The committee for appointment of Associate Professors and Assistant Professors shall be same as may be prescribed by the Regulations of the University Grants Commission ;

(b) **For Professors, Associate Professors and Assistant Professors equivalent post.**—The Committee for appointment of Professors, Associate Professors and Assistant Professors shall be same as may be prescribed by the Regulations of the University Grants Commission ;

(B) **Committee for Recognizing teachers for the Cluster University, amongst the teachers of the Higher Education Department.**—The committee for recognizing teachers for Cluster University from amongst the teachers of Higher Education Department shall consist of,—

- (i) Vice-Chancellor (Chairman) ;
- (ii) Dean of the concerned Faculty of the University ;
- (iii) Subject Expert to be nominated by the Academic Council of the University ;
- (iv) A member of the Syndicate concerned, nominated by the Vice-Chancellor ;
- (v) Registrar.

(C) **Committee for appointment of the officers of the status of the Joint Registrar, Deputy Librarian and above.**—The Committee for appointment of Joint Registrar and Deputy Librarian shall consist of,—

- (i) Vice-Chancellor (Chairman) ;
- (ii) Financial Advisor ;
- (iii) Educational Advisor ;
- (iv) Senior most Principal from amongst the Constituent College of the Cluster University ; and

(v) A member of the University Council concerned, nominated by the Chancellor.

(D) **Committee for appointment of officers below the status of the Joint Registrar and Deputy Librarian.**—The committee for appointment of officers below the status of the Joint Registrar and Deputy Librarian shall consist of,—

(i) Vice-Chancellor (Chairman) ;

(ii) Financial Advisor ;

(iii) Educational Advisor ;

(iv) A member of the Syndicate concerned, nominated by the Vice-Chancellor ;

(v) Registrar.

(2) The majority of members shall form the quorum of the Selection Committees as provided under sub-section (1).

35. *Other authorities.*—The constitution, powers and duties of such other authorities as may be provided the Statutes to be authorities of the Cluster University shall be such as may be prescribed by Statutes.

36. *Audit of accounts.*—The accounts of a Cluster University shall, once in every year and at the intervals of not more than fifteen months be audited by auditors appointed by the Government and a copy of the accounts together with the auditors, report, shall be published in the Government Gazette.

37. *Alteration in the designating of a Government Officer.*—Where any provision of this Act or the Statutes or Regulations refers to any officer of the Government by designation then, if that designation is altered or the office held by such officer ceases to exist, the reference to that designation shall be construed as reference to the altered

designation or as the casc may be, to such corresponding officer as the Government may direct.

38. *Statutes*.—Subject to the provision of this Act, the Statutes may provide for all or any of the following matters, namely :—

- (a) the holding of convocation by a Cluster University to confer degrees ;
- (b) the conferment of Honorary Degree ;
- (c) the institution of Fellowships, Scholarships, Exhibitions, Bursaries, Medals and Prizes ;
- (d) the conditions of service of the Vice-Chancellor and other officers of the Cluster University ;
- (e) the designation and powers of the officers of the Cluster University ;
- (f) the constitution, powers and duties of the authorities of the Cluster University ;
- (g) the conditions for recognition and affiliation of colleges and other institutions to the Cluster University ;
- (h) the classification of teachers employed by the Cluster University ;
- (i) the constitution of pension or general provident fund or contributory provident fund or New Pension Scheme (NPS) for the benefit of the officers, teachers and other servants employed by the Cluster University ;
- (j) the conditions under which students shall be admitted, to the examinations conducted by the Cluster University, and be eligible for degrees, diplomas or certificates ;

- (k) the fees to be charged for admission to the examinations and the Departments of the Cluster University ;
- (l) the conditions and mode of employment and the duties of examiners and paper setters ;
- (m) the conduct of examinations ;
- (n) the admission of students to constituent and affiliated colleges ;
- (o) the number, qualifications and emoluments of teachers employed by the Cluster University ; and
- (p) all matters which by this Act are to be or may be prescribed by the Statutes.

39. *Statutes how made.*—(1) Subject to the provisions of this Act, the Statutes may be amended or repealed or added to by Statutes made by the University Council in the manner hereinafter appearing.

(2) The University Council may of its own motion take into consideration the draft of any Statute submitted to it by one of its own members :

Provided that in any such case, before a Statute is passed, the opinion of the Syndicate or if the draft of such a Statute affects the powers, duties or emoluments of any officer, teacher, authority or board, a report from the person or body concerned together with the opinion of the Syndicate shall be taken into consideration by the University Council.

(3) The Syndicate of a Cluster University may propose to the University Council the draft of any Statute to be passed by the University Council. Such draft shall be considered by the University Council at its next meeting. The University Council may approve such draft and

pass the Statute, or may reject it, or may return it to the Syndicate for reconsideration either in whole or in part, together with any amendments which the University Council may suggest. After any draft so returned has been further considered by the Syndicate together with any amendments suggested by the University Council, it shall again be presented to the University Council with the report of the Syndicate and the University Council may then deal with the draft in such manner as it may think proper.

(4) (a) When the University Council has passed a Statute, it shall be submitted to the Chancellor who may assent to it or may withhold his assent or may refer it back to the University Council for further consideration.

(b) If the University Council rejects the draft of a Statute proposed by the Syndicate, the draft shall be submitted to the Chancellor who may refer it back to the University Council for further consideration.

(c) A Statute passed by the University Council shall not become valid until assent thereto of Chancellor has been notified.

(5) The Syndicate shall not propose the draft of any Statute or of any amendment of a Statute—

(a) affecting the status, powers or constitution of an authority of the Cluster University until such authority has been given an opportunity of expressing an opinion upon the proposal. Any opinion so expressed shall be in writing and shall be considered by the University Council and shall be submitted to the Chancellor ; and

(b) affecting the conditions of recognition and affiliation of constituent, autonomous and affiliated colleges to the Cluster University concerned after consultation with the Academic Council concerned.

40. *Regulations.*—The authorities and the bodies of the Cluster University may recommend to the Cluster University Council Regulations consistent with this Act and the Statutes providing for all or any of the following matters :—

- (a) the procedure to be observed at their meetings and the number of members required to form a quorum ;
- (b) the notice to be given of the meetings and of business to be considered there at, the keeping of records of their proceedings and similar matters ;
- (c) all matters which by this Act or the Statutes are to be prescribed by the Regulations ;
- (d) the conditions of residence of students ;
- (e) the discipline of students ;
- (f) the classification or inclusion of subjects of study in various Faculties ;
- (g) the constitution, powers and duties of the various Boards of the Cluster University ;
- (h) the periodical inspection of constituent, autonomous or affiliated colleges and other institutions.

41. *Regulations how made.*—(1) The University Council of a Cluster University shall make Regulations in consultation with the Syndicate after receiving drafts from the authorities and bodies of the Cluster University :

Provided that the University Council shall not consider the draft of any Regulations regarding classification or inclusion of the subjects of study in the various Faculties, otherwise than on the recommendations of the Academic Council.

(2) Regulations shall not be made for those matters which under section 38 of this Act may be provided for by the Statutes.

42. *Annual report.*—The Annual Report of a Cluster University shall be prepared at the close of a financial year under the directions of the Syndicate and shall be submitted to and considered by the Cluster University Council.

43. *Disputes as to constitution of Cluster University Authorities or Bodies.*—If any question arises whether any person has been duly elected, appointed or co-opted as, or is entitled to be, a member of any authority or other body of the Cluster University, or whether any decision of the Cluster University or of any of its bodies, authorities or committees is in conformity with the Act, the Statutes or the Regulations, the matter shall be referred to the Chancellor whose decision thereon shall be final.

44. *Filling of casual vacancies.*—(1) All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of a Cluster University shall be filled, as soon as conveniently may be, by the persons or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted, to a casual vacancy, shall be a member of such authority or body for the residue of the term for which the person whose place he fills, would have been a member.

(2) A person who is a member of an Authority of a Cluster University as a representative of another body whether of the Cluster University or outside, shall retain his seat on the Cluster University Authority, so long as he continues to be member of the body by which he was appointed or elected and thereafter till his successor is duly appointed.

45. *Proceedings of Cluster University Authorities and Bodies not invalidated by vacancies.*—No act or proceedings of any authority or other body or committee of a Cluster University shall be invalid merely

by reason of the existence of a vacancy or vacancies among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

46. Appointment of Special Officer until Cluster University authorities are duly constituted.—(1) At any time after the promulgated of this Act, and until such time as the two Cluster Universities and their authorities shall have been duly constituted, or until such time as the Chancellor may desire, a Special Officer shall be appointed by the Chancellor for a Cluster University.

(2) Subject to the superintendence of the Vice-Chancellor, the Special Officer shall frame the Statutes and Regulations as may be necessary to bring the Statutes and Regulations in conformity with the provisions of this Act. The modifications, alterations and additions proposed by the Special Officer shall, if approved by the Chancellor be deemed to have been made by the competent authority under this Act and shall continue to be in force until altered or superseded by the authority constituted under this Act.

47. Affiliation of State Educational Institutions with the Cluster University of Kashmir and Cluster University of Jammu.—(1) Notwithstanding anything contained in this Act or the Statutes with regard to the conditions of the recognition and affiliation of colleges and other educational institutions, Amar Singh College, Srinagar, Sri Pratap College, Srinagar, Government College for Women, M. A. Road, Srinagar, Government Degree College, Bemina, Srinagar and Government College of Education, Srinagar shall be the Constituent Colleges of the Cluster University of Kashmir whereas, the Government Gandhi Memorial Science College, Jammu, Moulana Azad Memorial College, Jammu, S. P. M. R. College of Commerce, Jammu, Government College for Women, Gandhi Nagar, Jammu and Government College of Education, Jammu shall constitute the Constituent Colleges of the Cluster University of Jammu immediately after this Act comes into

force.

(2) De-affiliation of the Constituent Colleges of the Cluster Universities from the present affiliating Universities, that is the University of Kashmir and University of Jammu, shall be completed in a phased manner to facilitate a smooth completion of the courses by the students already enrolled in the Constituent Colleges as per their present affiliation.

48. *Removal of difficulties.*—If any difficulty arises as to the first constitution of any authority of a Cluster University after the commencement of this Act, or otherwise in giving effect to the provisions of this Act, the Government may by order do anything which appears to it necessary for the purpose of removing the difficulty.

49. *Transitional provisions.*—Notwithstanding anything contained in this Act or any Statute or Regulation made thereunder, the appointment of the first Vice-Chancellors, the first Pro-Vice-Chancellors, the first Registrar and the first Controllers of Examinations of the Cluster Universities constituted under this Act shall be made by the Chancellor in consultation with the Pro-Chancellor, and, until the first appointment as aforesaid is made, the Chancellor may after consultation with the Pro-Chancellor, make provisional appointments on the said posts, on such terms and conditions and for such period, as he deems appropriate.

STATEMENT OF OBJECTS AND REASONS

The creation of two Cluster Universities in the State under Rashtriya Uchchatar Shiksha Abhiyan (RUSA) by pooling the resources of five existing colleges that have adequate academic, physical and technical infrastructural facilities with one of the College each in Srinagar and Jammu acting as Lead College aims at improving the quality of State Universities and Colleges and enhance their capacities to become dynamic, demand driven and quality conscious. A number of courses including Postgraduation, undergraduate and diploma in different subjects shall be introduced in these schools thus benefitting the students to pursue their higher studies in regular mode. The Cluster Universities in Srinagar and Jammu will augment the existing higher education facilities in the State, help diversification of academics, enhance manifold the intake capacity of the PG Courses in the State thereby providing increased facilities of higher education to the aspiring students. More students will get opportunities to various Postgraduate, Undergraduate and diploma courses in different streams and subjects through regular mode with added infrastructure. The existing State Universities will also be benefitted by reduction in responsibilities of managing admissions and examination of the students enrolled in these colleges. The establishment and functioning of Cluster Universities at Srinagar and Jammu shall be governed by Kashmir and Jammu Cluster University Act, 2016.

Hence the Bill.

MINISTER FOR EDUCATION.

MEMORANDUM OF FINANCIAL IMPLICATIONS

Rashtriya Uchchattar Shiksha Abhiyan (RUSA) is the final tier of Centrally Sponsored Schemes of MHRD which began with Sarva Shiksha Abhiyan (SSA) and graduated to Rashtriya Madhyamaik Shiksha Abhiyan (RMSA). The scheme was approved by the Cabinet Committee on Economic Affairs on 3rd October, 2013.

It is the most ambitious initiative and comprehensive scheme for the higher education sector and would be spread over the 12th and 13th Five Year Plan periods for funding the States, the State Universities and Colleges to achieve Access, Equity and Excellence.

UGC Schemes such as Development Grants for State Universities and Colleges, One-time Catch-Up Grants, etc. have been dove-tailed in RUSA and the individual oriented schemes will continue to be handled by the UGC.

As a prerequisite, the Higher Education Department, with prior approval of the Planning and Finance Departments, conveyed its willingness to the MHRD, GoI to participate in the scheme on 25-10-2013 and also committed to accept and abide by all the decisions of the RUSA Mission Authority and to fulfill all the prerequisites under the scheme.

Subsequently, the State Higher Education Council (SHEC) was constituted vide Government Order No. 1753-GAD of 2013 dated 27-12-2013 with the Hon'ble Chief Minister as the *ex-officio* Chairperson, Hon'ble Higher Education Minister as the *ex-officio* Vice-Chairperson. Besides, the SHEC has members including the Chief Secretary, J&K and Administrative Secretaries of the Planning and Finance Departments.

The State Project Directorate (Mission Directorate), RUSA was created by the State Cabinet vide Decision No. 101/08/2014,

dated 11-06-2014 followed by the Government Order No. 304-HE of 2014 dated 13-06-2014.

The State Cabinet also approved creation of 43 posts of various categories for the State Project Directorate (Mission Directorate), RUSA against which 9 posts have already been filled.

Creation of Technical Support Group (TSG) was approved by the State Cabinet and accordingly 6 posts of two categories stand created. However, the posts are yet to be filled.

An amount of Rs. 958.81 lacs was projected under State Higher Education Plan (SHEP) as the total outlay required during the last three financial years of the 12th Five Year Plan under different components of the scheme, however, the Project Approval Board (PAB), so far, has approved an amount of Rs. 118.1446 crore under six components of the scheme.

The scheme could not actually be implemented during the financial year 2014-15 due to the devastating floods that hit the State in September, 2014.

So far, the MHRD, Govt. of India has released an amount of Rs. 35.08 crore during 2014-15 and 2015-16 and the State Government also released an amount of Rs. 11.80 crore as the State share during the financial year 2014-15.

An amount of Rs. 30.73 crore stands released to the executing agencies for the two Cluster Universities and upgradation of infrastructure of the two State Universities viz. University of Jammu and University of Kashmir. Besides, Rs. 44.816 lacs were utilized for establishment of Mission Directorate, RUSA at Srinagar and Jammu.

Pertinently, the PAB, GoI *inter alia* has approved two Cluster Universities for the J&K State one each at Jammu and Srinagar for addressing the critical gaps in the spatial distribution of higher educational

institutions across the State. These Cluster Universities are being created by pooling the resources of five existing colleges that have adequate academic, physical and technical infrastructural facilities and would eventually become Constituent Colleges of the newly created university. One college, with various quality parameters of an institution, will be the lead institution or a nucleus institution around which the Cluster University would be established.

The creation of these two Cluster Universities would be helpful in enhancing manifolds the intake capacity of the PG Courses in the State thereby providing higher education facilities to the aspiring students. Enhancement of GER is imperative under RUSA and can be obtained through these Cluster Universities.

The Cluster University, Jammu will comprise the five colleges functioning within a radius of 3-4 kilometers in the Jammu City. As per the approval of State Higher Education Council (SHEC)/Project Approval Board (PAB) five schools with eleven PG Departments are to be established.

Similarly, the Cluster University, Srinagar will comprise the five colleges functioning within a radius of 3-4 kilometers in the Srinagar City and as per the approval of State Higher Education Council (SHEC)/Project Approval Board (PAB), five schools with eleven PG Departments are to be established.

To supplement the existing infrastructure of these identified colleges, additional infrastructure is being created to cater to the requirement of these two universities. An amount of Rs. 110.00 crore is the total approved allocation for creation of infrastructure for these two Cluster Universities against which the State Government has to arrange Rs. 11.00 crore only on account of 10% State share. The State Government has already consented to bear the recurring expenses for running these two universities, while conveying approval of State Higher Education Plan for the remaining three financial years of the

12th Five Year Plan. With introduction of 10 PG Schools in the two Cluster Universities, the total intake capacity shall be 1580.

The administrative approval for establishment of the Cluster University, Srinagar stand accorded vide Govt. Order dated 16-06-2015 and Govt. Order dated 08-10-2015 for an amount of Rs. 5394.43 lacs (Rs. 4389.03 lacs and 1005.40 lacs respectively) for execution through PWD, Kashmir, against an amount of Rs. 365.62 lacs and 500.00 lacs were released to the Chief Engineer, PWD (R&B), Kashmir vide Govt. Order dated 16-06-2015 and dated 06-08-2015 respectively for creation of the requisite infrastructure for the university. The construction work of various blocks of the university is in progress.

The administrative approval for establishment of the Cluster University, Jammu was accorded vide Govt. Order dated 16-06-2015 for an amount of Rs. 5491.73 for execution through the PWD, Jammu. An amount of Rs. 457.51 lacs and 500.00 lacs were released to the Chief Engineer, PWD (R&B), Jammu vide Govt. Order dated 16-06-2015 and dated 06-08-2015 respectively for creation of requisite infrastructure for the university. The construction work of various blocks of the university is in progress.

To begin with, the department intends to achieve a Student : Teacher ratio of 20:1 ; and accordingly, there is a requirement to create 156 teaching Faculty positions for both the Cluster Universities. However, the department proposes to utilize the existing 52 Teaching Faculty posts, thereby, making the net requirement for creation of new posts to 104. The department envisions to create 36 number of Faculty positions for making these universities functional from the financial year 2016-17 for which an amount of Rs. 2.23 crore shall be required for meeting the salary requirements of these newly created Faculty positions. Besides, 68 number of Faculty positions shall be required to be created during the financial year 2017-18 to cater to the total enrolment of 1465 students of the two universities. This will

require an additional amount of Rs. 4.21 crore per annum to meet the salary requirements of the additional Faculty created during the said year.

Moreover, an amount of Rs. 3.45 crore shall be required during the financial year 2016-17 for creation of 120 posts of Administrative/Non-Teaching Staff for running these Cluster Universities. Subsequently, 52 number of posts shall be required to be created during the subsequent financial years to make the university fully functional. An amount of Rs. 1.58 crore shall annually be required to meet out the salary requirements of the additional Administrative/Non-Teaching Staff proposed to be created for these universities.

Overall, an amount of Rs. 5.68 crore shall be required for the financial year 2016-17 for creation of both teaching and non-teaching staff for the two Cluster Universities and thereafter, Rs. 11.47 crore shall annually be required for the said purpose.

MINISTER FOR EDUCATION.

RECOMMENDATION OF THE GOVERNOR

The Governor has in pursuance of sub-sections (1) and (3) of section 84 of the Constitution of Jammu and Kashmir recommended to the Jammu and Kashmir Legislative Assembly the introduction and consideration of the Bill.

(Sd.) **M. RAMZAN**,

Secretary.